

# JOINT BUDGET COMMITTEE

## APPROPRIATIONS REPORT FISCAL YEAR 2020-21



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A NONPARTISAN SERVICE AGENCY OF THE  
COLORADO GENERAL ASSEMBLY

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# INTRODUCTION

The Joint Budget Committee (JBC) staff prepare this report annually to assist members of the General Assembly, state personnel, and other interested parties in understanding state funding decisions made during the 2020 Regular Legislative Session. This report provides an overview of state revenues and expenditures, comparative and historical information regarding appropriations, and a detailed explanation of major funding changes for each state department. The FY 2020-21 Appropriations Report is comprised of four sections, described below. While the full report is available online, the printed version of this report now excludes Part III and three of the 12 appendices (J, K, and L). In addition, previous reports have included in Part III brief summaries of bills that affect each department. This report consolidates all bill summaries in Appendix A. We welcome your feedback on these changes to the report.

## PART I: OVERVIEW

This section includes overviews of:

- the State budget process;
- the State budget, focused on the allocation of General Fund revenues and expenditures;
- a discussion of statutory and constitutional revenue and spending restrictions; and
- a series of charts, graphs, and tables identifying the sources of General Fund revenue and comparing the distribution of appropriations by program and fund source.

## PART II: DEPARTMENT SUMMARIES

This section contains a summary of operating appropriations for each department for FY 2017-18 through FY 2020-21 and highlights the major appropriation changes from FY 2019-20 to FY 2020-21. This section also summarizes factors driving the budget for each state department and for capital construction projects.

## PART III: DEPARTMENT DETAILS *Available Online Only*

This section includes detailed information regarding funding for the operations of each state department and for capital construction projects. The subsection for each department summarizes funding and FTE authorizations for FY 2019-20 and FY 2020-21. The format reflects appropriations by bill and by division or program area. Narrative sections describe major changes in funding from FY 2019-20 to FY 2020-21, fund sources for each division, and division responsibilities.

## APPENDICES

Multiple appendices provide additional information and supporting documentation related to the State budget.

## ADDITIONAL RESOURCES

The General Assembly includes footnotes in the annual Long Bill to: (a) set forth purposes, conditions, or limitations on an item of appropriation; (b) explain assumptions used in determining a specific amount of an appropriation; or (c) express legislative intent relating to any appropriation. Footnotes to the 2020 Long Bill (H.B. 20-1360) can be found at the end of each departmental section of the bill at <https://leg.colorado.gov/bills/HB20-1360>.

Additional information concerning the JBC members and staff, the budget process, and related documents is available at <https://leg.colorado.gov/content/budget>. In addition, we worked with Legislative Council Staff to create a new interactive website that allows you to explore and learn about sources of State tax revenues and the State budget at <https://leg.colorado.gov/explorebudget/>.

**PART I**

**OVERVIEW**

# A: OVERVIEW OF THE BUDGET PROCESS

This section provides a summary of the process of preparing and adopting a State budget for FY 2020-21.

## SUBMISSION OF ANNUAL BUDGET REQUESTS

On November 1, the Governor submitted his FY 2020-21 budget request. The Governor's annual request is a comprehensive plan that is comprised of several elements:

- Amounts requested by Executive Branch agencies for ongoing operations, to be appropriated through the annual general appropriation act (the "Long Bill");
- Amounts the Governor is requesting to fund State facilities and infrastructure;
- Amounts that will be distributed or transferred pursuant to existing constitutional or statutory requirements; and
- Placeholders for amounts that the Governor is proposing be appropriated or transferred through separate legislation.

The Governor's budget request was based on the September 2019 revenue forecast prepared by the Office of State Planning and Budgeting (OSPB).

Each of the eight Judicial Branch agencies, the Attorney General, the Secretary of State, and the State Treasurer all submitted their own budget requests for the ongoing operations of their respective agencies.

## JBC STAFF BRIEFINGS AND AGENCY BUDGET HEARINGS

The Joint Budget Committee (JBC) began meeting on November 12, 2019, to review the FY 2020-21 budget requests. For two months the Committee heard presentations from JBC Staff detailing the budget requests, and met with each Executive and Judicial agency to discuss their budget and policy priorities.

## MEETINGS WITH COMMITTEES OF REFERENCE

During the first month of the 2020 legislative session, the JBC met with each committee of reference as required by Joint Rule 25 to discuss the budget requests submitted by those agencies for which each committee has oversight. The JBC shared information about their discussions during the JBC Staff briefings and the agency budget hearings. The JBC asked for input concerning specific budget requests as well as committee member suggestions for reducing or increasing appropriations to support their priorities.

## SUPPLEMENTAL APPROPRIATION BILLS

In January 2020, the JBC considered agency requests for mid-year adjustments to FY 2019-20 appropriations. In early February, the JBC introduced for the General Assembly's consideration 18 "supplemental" bills to make approved appropriation adjustments and some related statutory changes (HB 20-1242 through HB 20-1262). Governor signed these bills in early March.

## PUBLIC TESTIMONY AND PREPARATION OF THE FY 2020-21 BUDGET

On February 3, 2020, the JBC heard public testimony concerning the FY 2020-21 State budget. From early February through March 13, the JBC reviewed every agency's budget request and voted on appropriations to include in the FY 2020-21 Long Bill. The JBC also established common policies for State employee salaries and benefits as well as rates paid to community-based service providers.

On March 16, 2020, the Legislative Council Staff (LCS) and OSPB presented their quarterly economic and revenue forecasts. These forecasts reflected a significant decrease in projected General Fund revenue for both FY 2019-20 and FY 2020-21. Specifically, General Fund revenues were anticipated to be \$864.0 to \$991.0 million lower than the forecast in September 2019.

## BUDGET BALANCING PROCESS DURING ADJOURNMENT OF GENERAL ASSEMBLY

The General Assembly temporarily adjourned from mid-March to late April because of the coronavirus pandemic. During this time JBC members and JBC Staff worked to identify options to balance the budget. JBC Staff collaborated to the extent possible with State agency staff and OSPB staff in developing options for a series of “budget balancing” documents for each agency. These documents were distributed over a two week period to JBC members, the affected agency, OSPB staff, and staff in the Office of Legislative Legal Services (OLLS).

Executive and Judicial agencies were encouraged to submit responses to the JBC by April 27 if they wanted the Committee to consider additional or alternative budget balancing options, or to prioritize the balancing options in a specific manner. All JBC Staff budget balancing documents and agency responses were posted to the JBC website on April 27 to solicit input from other legislators, affected agencies and service providers, advocacy organizations, and the public about how to best prioritize State resources.

The JBC returned to the Capitol and met from May 4 through May 11 to consider each budget balancing option. If the JBC unanimously approved an option that required a statutory change, the Committee reviewed the associated bill draft as well. On May 12, LCS and OSPB presented updated economic and revenue forecasts. Table 1 details the changes in projected General Fund revenues from September 2019 to May 2020. Under both forecasts, projected General Fund revenues for two fiscal years (2019-20 and 2020-21 combined) decreased by \$4.3 billion (more than 16.0 percent).

TABLE 1 CHANGE IN PROJECTIONS OF GROSS GENERAL FUND REVENUES FROM SEPTEMBER 2019 TO MAY 2020 (\$ MILLIONS)						
	FY 2019-20		FY 2020-21		CUMULATIVE TOTAL	
	LCS	OSPB	LCS	OSPB	LCS	OSPB
September 2019	\$12,953.5	\$13,096.4	\$13,309.0	\$13,617.0	\$26,262.5	\$26,713.4
December 2020	12,942.7	13,009.4	13,475.1	13,528.0	26,417.8	26,537.4
March 2020	12,546.6	12,713.2	12,725.1	13,136.0	25,271.7	25,849.2
May 2020	11,653.8	11,630.1	10,306.6	10,755.0	21,960.4	22,385.1
Decrease from September 2019 to May 2020	(\$1,299.70)	(\$1,466.30)	(\$3,002.4)	(\$2,862.0)	(\$4,302.1)	(\$4,328.3)
Percent Decrease	-10.0%	-11.2%	-22.6%	-21.0%	-16.4%	-16.2%

"LCS" refers to the Colorado Legislative Council Staff's [Economic and Revenue Forecast](#).

"OSPB" refers to the Governor's Office of State Planning and Budgeting's [Colorado Economic and Fiscal Outlook](#).

The JBC met through May 22 to consider additional budget balancing options in order to present a balanced budget proposal to the General Assembly on May 26.

## GENERAL ASSEMBLY ACTIONS AFTER TEMPORARY ADJOURNMENT

The General Assembly met from May 26 through June 15 to consider the Long Bill and the budget bills sponsored by the JBC, other pending bills that were introduced prior to the temporary adjournment, and other newly introduced bills sponsored by other legislators. On June 15, the House of Representatives and the Senate adjourned, ending the 2020 legislative session.

# B: OVERVIEW OF GENERAL FUND REVENUES AND EXPENDITURES

The next two subsections provide an overview of the State budget, focused on the allocation of General Fund revenues. Details concerning the allocation of cash and federal sources of revenue are included in *Section C* of this *Part I*, as well as in *Parts II* and *III* for individual departments.

## 1. MAJOR ACTIONS AFFECTING THE GENERAL FUND BUDGET

The following is a summary of the major actions that impacted the General Fund budget during the 2020 Regular Legislative Session, including actions that affected revenues, obligations, and the size of the fiscal year-end reserve.

### AVAILABLE GENERAL FUND REVENUE

**GENERAL FUND REVENUE PROJECTIONS:** The General Assembly used the Office of State Planning and Budgeting (OSPB) May 2020 revenue estimates to make final adjustments to the FY 2019-20 budget and prepare the FY 2020-21 budget. Compared to the Legislative Council Staff (LCS) forecast, the OSPB forecast anticipated \$437.5 million more General Fund revenue available for the FY 2020-21 budget after existing statutory obligations are met.

**ACTIONS THAT IMPACTED AVAILABLE GENERAL FUND REVENUE:** Table 2 contains a list of bills that impacted the amount of available General Fund Revenue for FY 2019-20 or FY 2020-21 and were not incorporated in the May 2020 OSPB forecast of General Fund revenues. *Appendix A* provides more detail for each bill, and *Appendix D* includes information about the allocation of federal Coronavirus Relief Fund money that was transferred into the General Fund by the Governor.

TABLE 2 2020 SESSION ACTIONS THAT IMPACTED THE AMOUNT OF AVAILABLE GENERAL FUND REVENUES		
	FY 2019-20	FY 2020-21
<b>Revenue Changes</b>		
HB 20-1420 Adjust Tax Expenditures for State Education Fund	\$0	\$94,100,000
HB 20-1020 Long-term Lodging Sales Tax Exemption	0	3,700,000
HB 20-1385 Use of Increased Medicaid Match	43,400	1,285,820
HB 20-1003 Rural Jump-start Zone Act Modifications	0	(164,500)
<b>Subtotal</b>	<b>\$43,400</b>	<b>\$98,921,320</b>
<b>Transfers In</b>		
Transfer from Federal Coronavirus Relief Fund (Executive Order D 2020 070)	\$70,000,000	\$0
HB 20-1381 Cash Fund Transfers to the General Fund	54,939,508	88,500,000
HB 20-1406 Cash Fund Transfers to the General Fund	30,926,536	11,907,987
HB 20-1378 Capital-related Transfers of Money	19,737,085	0
HB 20-1382 Repeal Technology Advancement and Emergency Fund	13,900,000	0
HB 20-1401 Marijuana Tax Cash Fund Spending and Transfer	0	136,989,750
HB 20-1380 Move Tobacco Litigation Settlement Moneys General Fund	0	40,009,885
HB 20-1399 Suspend Limited Gaming Tax Transfers to Cash Funds	0	23,200,000
HB 20-1387 Transfers from Unexpended County Reimbursements	0	13,000,000
HB 20-1361 Reduce Adult Dental Benefit	0	1,139,402
HB 20-1395 End WORK Act Grants Transfer Money to General Fund	0	160,300
<b>Subtotal</b>	<b>\$189,503,129</b>	<b>\$314,907,324</b>
<b>TOTAL</b>	<b>\$189,546,529</b>	<b>\$413,828,644</b>

## GENERAL FUND OBLIGATIONS

### APPROPRIATIONS AND RESTRICTIONS ON APPROPRIATIONS

Consistent with previous fiscal years, the General Assembly passed legislation to modify appropriations for the current fiscal year (FY 2019-20) and make appropriations for the next fiscal year (FY 2020-21).

#### FY 2019-20 APPROPRIATION ADJUSTMENTS

Overall, bills adopted during the 2020 legislative session made mid-year adjustments to reduce General Fund appropriations by \$174.3 million. This amount includes bills that increased appropriations by \$110.1 million, and bills that made reductions totaling \$284.4 million. Table 4, below, lists those bills that made the most significant changes.

#### FY 2020-21 – LONG BILL APPROPRIATIONS

Appropriations in the FY 2020-21 Long Bill (HB 20-1360)—before appropriation changes made through other bills—are \$81.4 million lower (0.7 percent) than the adjusted statewide operating appropriations for FY 2019-20. This relatively flat budget includes increases for some departments and decreases for others.

General Fund appropriations in the Long Bill for three departments increased:

- Department of Health Care Policy and Financing: \$396.1 million (13.3 percent);
- Department of Education: \$238.8 million (5.4 percent); and
- Treasury Department: \$38.3 million (11.9 percent).

General Fund appropriations in the Long Bill for all other departments declined, more than offsetting the increases required for the above three departments. The most significant decrease is for the Department of Higher Education, where General Fund appropriations decline by \$501.4 million (45.1 percent). Major changes in Long Bill appropriations from FY 2019-20 to FY 2020-21 for each department are explained in *Part II* and *Part III* of this document. *Part II* contains an overview of appropriations at the department level and describes general factors driving the budget. *Part III* (available online only) provides detailed appropriations by division and by bill for each department for FY 2019-20 and FY 2020-21.

The FY 2020-21 Long Bill appropriations for all departments included funding increases to cover **increased costs of employee benefits**.

- The **employer contribution for state employee health, life, and dental insurance premiums** is set at 80.0 percent of total premium costs for FY 2020-21, consistent with the state contribution rate for FY 2019-20. General Fund appropriations increased by approximately \$9.4 million for premium costs for FY 2020-21.
- The **employer contribution to the Colorado Public Employees' Retirement Association (PERA)** was scheduled to increase by 0.5 percent—from 10.4 to 10.9 percent for most state employees—starting July 1, 2020. General Fund appropriations increased by approximately \$7.1 million to cover the higher employer contribution. For more details concerning the impacts on individual agencies, see *Appendix C* concerning common policies.

Despite these increases for employee benefits, the Long Bill appropriations for most departments declined in FY 2020-21 due to a number of actions that were taken to balance the budget in light of the revenue forecast. Table 3 lists the General Fund impact of these budget balancing actions by department. Please note that these amounts do not include actions that were taken to avoid a General Fund increase that would otherwise have been approved (e.g., funding for state employee salary increases).

TABLE 3  
GENERAL FUND BUDGET BALANCING ACTIONS INCLUDED IN LONG BILL (HB 20-1360)

DEPARTMENT	FY 2019-20	FY 2020-21
Agriculture	\$0	(\$611,440)
Corrections	(3,600,000)	(32,026,751)
Education	(900,000)	(5,400,804)
Governor's Office	0	(6,186,536)
Health Care Policy and Financing	0	(45,563,177)
Higher Education	(1,825,000)	(505,288,370)
Human Services	(27,069,899)	(81,885,458)
Judicial	(11,575,515)	(41,886,170)
Labor and Employment	0	(1,594,543)
Law	0	(3,573,870)
Local Affairs	0	(2,622,163)
Military and Veterans Affairs	0	(1,216,044)
Natural Resources	0	(1,035,518)
Personnel	0	(587,350)
Public Health and Environment	0	(3,019,181)
Public Safety	0	(11,206,238)
Regulatory Agencies	0	(74,526)
Revenue	0	(2,782,254)
Treasury	(16,500,000)	(77,812)
<b>TOTAL</b>	<b>(\$61,470,414)</b>	<b>(\$746,638,205)</b>

The impacts in Table 3 include funding reductions due to two significant statewide policies:

- Appropriations to each agency for employee health, life, and dental benefits were reduced by an amount that is equivalent to a **5.0 percent General Fund personal services base reduction**. The intent was to provide agencies with the flexibility to absorb the reduction across divisions and programs. This policy reduced General Fund appropriations by a total of \$57.8 million General Fund. For more details concerning the impacts on individual agencies, see *Appendix C* concerning common policies.
- **Community provider rate adjustments** are applied to programs and services that, if not provided by contracted provider organizations or county staff, would need to be provided by state staff. For FY 2020-21, the common policy decreased these rates by 1.0 percent, resulting in a reduction of approximately \$25.2 million General Fund.

#### FY 2020-21 – APPROPRIATIONS IN LEGISLATION OTHER THAN THE LONG BILL

The FY 2020-21 Long Bill includes appropriations to each department that are used to reduce the unfunded actuarial accrued liabilities PERA. These annual appropriations began in FY 2019-20, and they total \$225.0 million. The FY 2020-21 Long Bill appropriations for this purpose include \$30.6 million General Fund for State employee PERA divisions, and \$170.9 million General Fund for the PERA public school divisions. The remaining \$23.5 million for State employee PERA divisions comes from non-General Fund revenue sources. As part of the budget balancing process, the General Assembly passed H.B. 20-1379 (**Suspend PERA Direct Distribution for FY 2020-21**) to suspend these payments to PERA for FY 2020-21. This bill thus reduces FY 2020-21 General Fund appropriations by \$201.5 million.

The General Assembly also adopted a number of other bills that make statutory changes to further reduce appropriations for FY 2020-21. These bills, in combination with H.B. 20-1379, reduced FY 2020-21 General Fund appropriations by more than \$1.1 billion. Table 4 identifies those 2020 bills that had the most significant impacts on General Fund appropriations (impacts greater than \$5.0 million). *Part II* and *Part III* detail the appropriation impacts of these bills for each department and each division, respectively. *Appendix A* includes a brief description of each bill.



TABLE 4  
2020 SESSION BILLS THAT AFFECTED GENERAL FUND APPROPRIATIONS

	FY 2019-20	FY 2020-21
<b>Appropriation Increases</b>		
HB 20-1246 Dept of Health Care Policy & Financing Supplemental Bill	\$42,828,599	\$0
SB 20-222 Use CARES Act Money Small Business Grant Program	20,000,000	0
HB 20-1411 COVID-19 Funds Allocation For Behavioral Health	15,200,000	0
HB 20-1260 School Finance Adjustment to 2019-20 Total Program	9,046,331	0
HB 20-1019 Prison Population Reduction and Management	5,450,197	250,000
HB 20-1256 Dept of Public Safety Supplemental Bill	5,201,405	0
HB 20-1360 Long Bill	0	11,942,153,407
HB 20-1345 Legislative Appropriation Bill	0	49,542,990
HB 20-1399 Suspend Limited Gaming Tax Transfers to Cash Funds	0	14,025,000
SB 20-212 Reimbursement for Telehealth Services	0	5,068,381
Other 2020 Bills	12,393,030	500,290
<b>Subtotal</b>	<b>\$110,119,562</b>	<b>\$12,011,540,068</b>
<b>Appropriation Decreases</b>		
HB 20-1360 Long Bill	(\$256,579,625)	\$0
HB 20-1385 Use of Increased Medicaid Match	(24,733,945)	(26,755,711)
HB 20-1418 School Finance	0	(722,777,639)
HB 20-1379 Suspend PERA Direct Distribution for FY 2020-21	0	(201,518,139)
HB 20-1386 Use Fees to Offset Medicaid Program	0	(161,000,000)
HB 20-1376 Modify Transportation Funding Mechanisms	0	(12,000,000)
HB 20-1398 Modify Automatic Funding Mechanism for Capital Constr.	0	(7,561,261)
Other 2020 Bills	(3,126,622)	(19,152,792)
<b>Subtotal</b>	<b>(\$284,440,192)</b>	<b>(\$1,150,765,542)</b>
<b>TOTAL</b>	<b>(\$174,320,630)</b>	<b>\$10,860,774,526</b>

Pursuant to Executive Order D2020 050, the **State Controller restricted several General Fund appropriations for FY 2019-20**. While most of these restrictions are reflected in the above appropriation adjustments in HB 20-1360, \$35.1 million is not. Thus, the FY 2020-21 budget anticipates that \$35.1 million of General Fund appropriations for FY 2019-20 will revert at the end of FY 2019-20 and be available for appropriation for FY 2020-21.

## OTHER OBLIGATIONS

The General Assembly also adopted a number of bills that affect General Fund obligations other than appropriations. Some of these bills make statutory changes that require transfers out of the General Fund to another fund, or that divert revenues away from the General Fund for another purpose. Other bills had the opposite effect, reducing or eliminating authorized transfers or diversions of revenue. Table 5 identifies all 2020 bills that impact General Fund obligations other than appropriations. *Appendix A* includes a brief description of each bill.

TABLE 5  
2020 SESSION BILLS THAT MADE CHANGES TO GENERAL FUND TRANSFERS AND DIVERSIONS

	FY 2019-20	FY 2020-21
<b>Increases in Transfers Out or Diversions From the General Fund</b>		
HB 20-1261 General Fund Transfer to IT Capital Account (transfer)	\$7,466,648	\$0
HB 20-1412 COVID-19 Utility Bill Payment-related Assistance (transfer)	0	4,800,000
HB 20-1420 Adjust Tax Expenditures for State Education Fund (transfer)	0	113,000,000
HB 20-1378 Capital-related Transfers of Money (transfer)	0	2,988,768
SB 20-003 State Parks Improvement Appropriation (transfer)	0	1,000,000
HB 20-1116 Procurement Technical Assistance Program Extension (transfer)	0	175,000
HB 20-1215 Sunset Water Wastewater Facility Operators Cert. Bd. (diversion)	0	24,815
HB 20-1061 HIV Infection Prevention Medications (diversion)	0	17,813
HB 20-1158 Coverage Infertility Diagnosis Treatment Preserve (diversion)	0	4,951

TABLE 5  
2020 SESSION BILLS THAT MADE CHANGES TO GENERAL FUND TRANSFERS AND DIVERSIONS

	FY 2019-20	FY 2020-21
<b>Subtotal</b>	<b>\$7,466,648</b>	<b>\$122,011,347</b>
<b>Decreases in Transfers Out or Diversions From the General Fund</b>		
SB 20-215 Health Insurance Affordability Enterprise (transfer)	(\$15,000,000)	(\$40,000,000)
HB 20-1376 Modify Transportation Funding Mechanisms (transfer)	0	(50,000,000)
HB 20-1262 Housing Assistance for Persons Transitioning (diversion)	(2,000,000)	(2,000,000)
HB 20-1367 Reallocate State Sales and Use Tax to General Fund (diversion)	0	(2,000,000)
<b>Subtotal</b>	<b>(\$17,000,000)</b>	<b>(\$94,000,000)</b>
<b>TOTAL</b>	<b>(\$9,533,352)</b>	<b>\$28,011,347</b>

## STATUTORILY REQUIRED GENERAL FUND RESERVE

The General Assembly passed legislation to temporarily decrease the required General Fund reserve, thus making more revenue available for appropriation in the affected fiscal years. Specifically, H.B. 20-1383 (Temporary Reduction in the General Fund Reserve) temporarily decreases the statutory General Fund reserve requirement from 7.25 percent of General Fund appropriations at the end of each fiscal year to:

- 3.07 percent of appropriations for FY 2019-20, and
- 2.86 percent of appropriations for FY 2020-21 and 2021-22.

For FY 2022-23 and subsequent fiscal years, the reserve requirement remains unchanged at 7.25 percent of General Fund appropriations.

As detailed in Table 6, based on existing appropriations this bill reduces the required General Fund reserve by \$494.9 million for FY 2019-20 and by \$467.9 million for FY 2020-21.

TABLE 6  
CALCULATION OF STATUTORY GENERAL FUND RESERVE  
(\$ MILLIONS)

	FY 2019-20	FY 2020-21
General Fund Appropriations (Excluding Rebates and Expenditures)	\$11,840.3	\$10,658.5
Applicable Percentage to be applied to General Fund Appropriations (current law)	7.25%	7.25%
Required Statutory Reserve (prior to HB 20-1383)	\$858.4	\$772.7
Applicable Percentage to be applied to General Fund Appropriations After Passage of HB 20-1383	3.07%	2.86%
<b>Required Statutory Reserve (with HB 20-1383)</b>	<b>\$363.50</b>	<b>\$304.8</b>
Change to Reserve Due to HB 20-1383	(\$494.9)	(\$467.9)

## 2. GENERAL FUND BUDGET OVERVIEW

This section provides an overview of the State General Fund budget, including the 2020 legislative actions described above. Table 7 details available General Fund revenue, obligations, and the year-end reserve for fiscal years 2019-20 and 2020-21. Please note that some of these amounts will change in the future with revised revenue forecasts and actions of the General Assembly. A description of each item follows the table.

TABLE 7  
GENERAL FUND OVERVIEW FOR FY 2019-20 AND FY 2020-21, BASED ON OSPB MAY 2020 FORECAST  
(\$ MILLIONS)

	FY 2019-20	FY 2020-21
<b>General Fund Available</b>		
1 Beginning Reserve	\$1,262.5	\$436.4
2 Gross General Fund Revenue	11,630.1	10,755.0
3 <i>Impact of law changes</i>	0.0	4.83
4 Transfers In (existing law reflected in forecast)	53.8	0.8
5 <i>Transfer from Federal Coronavirus Relief Fund (Executive Order D 2020 070)</i>	70.0	0.0
6 <i>Impact of law changes</i>	119.5	409.0
7 <b>Total General Fund Available</b>	<b>\$13,136.0</b>	<b>\$11,606.0</b>
<b>General Fund Obligations</b>		
8 Appropriations	12,023.5	10,861.1
9 LESS: Rebates and expenditures in appropriations	(183.2)	(202.6)
10 Adjusted Appropriations	11,840.3	10,658.5
11 Appropriation Restrictions Pursuant to Executive Order D 2020 050 (not reflected above)	(35.1)	n/a
12 Rebates and Expenditures (projections based on existing law)	141.6	304.1
13 <i>Impact of law changes</i>	0.0	(2.0)
14 TABOR Refund Obligation [Article X, Section 20 (7)(d)]: Current year revenue above Referendum C Cap	0.0	0.0
Transfers Out and Other Diversions:		
15 Transportation (existing law reflected in forecast)	300.0	50.0
16 <i>Impact of law changes</i>	0.0	(50.0)
17 Capital construction/IT Projects (existing law reflected in forecast)	225.8	20.0
18 <i>Impact of law changes</i>	7.5	3.0
19 Other Transfers and Diversions (existing law reflected in forecast)	234.6	225.3
20 <i>Impact of law changes</i>	(15.0)	77.0
21 <b>Total General Fund Obligations</b>	<b>\$12,699.6</b>	<b>\$11,285.9</b>
<b>Reserve</b>		
22 <b>Fiscal Year-end General Fund Reserve</b>	<b>\$436.4</b>	<b>\$320.1</b>
23 Statutorily Required Reserve Percent (HB 20-1383)	3.07%	2.86%
24 Required Reserve Amount	\$363.5	\$304.8
25 Year-end Reserve Above/(Below) Statutory Requirement	\$72.9	\$15.3

**1 BEGINNING RESERVE:** These figures represent the total balance in the General Fund reserve at the start of the fiscal year based on the assumptions used for revenues and obligations. The beginning General Fund reserve is the same as the prior fiscal year's ending General Fund reserve.

**2 GROSS GENERAL FUND REVENUE:** This figure represents an estimate of the total General Fund revenue reflected in the May 2020 OSPB revenue estimate. The major components of General Fund revenues include individual and corporate income, sales and use, insurance, retail marijuana, liquor, and cigarette taxes. The General Assembly may appropriate General Fund revenues available after certain statutory obligations are satisfied. These obligations are described below.

These amounts include “General Fund Exempt” revenues. As a result of voter approval of Referendum C in November 2005, the State is permitted to retain excess revenues that otherwise would have been refunded under the Taxpayer’s Bill of Rights (TABOR). Please see the section titled “2. Statutory and Constitutional Restrictions” in this Part I-B for a more detailed overview of TABOR and Referendum C. In addition, *Appendix D* details General Fund Exempt appropriations for FY 2019-20 and FY 2020-21.

**3 IMPACT OF LAW CHANGES:** This line identifies the impact of statutory changes affecting General Fund revenue that were authorized after the May 2020 OSPB forecast was published. Table 2 in this section provides a list of these bills, and these bills are described in *Appendix A*.

**4 TRANSFERS IN (EXISTING LAW REFLECTED IN FORECAST):** This line reflects money transferred to the General Fund from various other funds based on existing statutes that were enacted before the May 2020 OSPB forecast was published.

**5 TRANSFER FROM FEDERAL CORONAVIRUS RELIEF FUND:** This line item reflects the amount of federal funding that the Governor transferred into the General Fund. See *Appendix D* for more information.

**6 IMPACT OF LAW CHANGES:** This line identifies the impact of transfers from other cash funds to the General Fund that were authorized after the May 2020 OSPB forecast was published. Table 2 in this section provides a list of these bills, and these bills are described in *Appendix A*.

**8 APPROPRIATIONS:** These figures represent the total General Fund appropriations made in the annual appropriation bill (referred to as the Long Bill) and other bills.

**9, 12 REBATES AND EXPENDITURES:** The quarterly revenue forecasts prepared by OSPB and Legislative Council Staff include dollar amounts referred to as "rebates and expenditures." These amounts reflect various expenditures or diversions of funds from the General Fund, which are exempt from or not subject to the statutory restriction on General Fund appropriations pursuant to statutory or constitutional provisions. Some of these items are not reflected in General Fund appropriations, and the amounts that are reflected in General Fund appropriations are not routinely adjusted to reflect changes in the quarterly revenue forecasts. To make final adjustments to the FY 2019-20 budget and prepare the FY 2020-21 budget, the General Assembly used projections of rebates and expenditures in the May 2020 OSPB revenue estimate. See *Appendix D* for details concerning General Fund appropriations for FY 2019-20 and FY 2020-21 that are excluded from these figures.

**11 APPROPRIATION RESTRICTIONS:** The Governor issued an Executive Order to restrict several General Fund appropriations for FY 2019-20. While most of these restrictions are reflected in line 8, \$35.1 million is not. Thus, the FY 2020-21 budget anticipates that \$35.1 million of General Fund appropriations for FY 2019-20 will revert at the end of FY 2019-20 and be available for appropriation for FY 2020-21.

**13 IMPACT OF LAW CHANGES:** This line identifies the impact of HB 20-1367, which reduced the diversion of sales and use tax revenues. Table 5 in this section includes this bill, and further information is included in *Appendix A*.

**14 TABOR REFUND OBLIGATION:** These amounts represent the estimated refund that will result when State revenues exceed the amount permitted to be retained under Article X, Section 20 (7)(d) of the State Constitution. As reflected in the May 2020 OSPB revenue estimate, the State revenues are not expected to exceed the amount permitted to be retained in fiscal years 2019-20 and 2020-21.

#### **TRANSFERS OUT AND OTHER DIVERSIONS:**

- **15 TRANSPORTATION (EXISTING LAW REFLECTED IN FORECAST):** Section 24-75-219, C.R.S., requires transfers from the General Fund to the State Highway Fund and the Highway Users Tax Fund.
- **16 IMPACT OF LAW CHANGES:** This line reflects the impact of HB 20-1376 (Modify Transportation Funding Mechanisms). Table 5 in this section includes this bill, and further information is included in *Appendix A*.
- **17 CAPITAL CONSTRUCTION/IT PROJECTS (EXISTING LAW REFLECTED IN FORECAST):** This line reflects transfers from the General Fund to the Capital Construction Fund, the National Western Center Trust Fund, or the Capitol Complex Master Plan Implementation Fund as authorized in Sections 23-31-902 (3), 24-75-219, 24-75-302 (2), and 24-75-307 (1), C.R.S. These transfers are not subject to the statutory restriction on General Fund appropriations. The General Assembly may change the amount of the annual transfer when necessary.
- **18 IMPACT OF LAW CHANGES:** This line reflects the impact of 2020 bills that affected capital-related transfers. These bills are included in Table 5 in this section, and the bills are described in *Appendix A*.

- **19 OTHER TRANSFERS AND DIVERSIONS (EXISTING LAW REFLECTED IN FORECAST):** These amounts reflect money that will be transferred out of or diverted from the General Fund based on existing statutes that were signed into law prior to the May 2020 OSPB revenue forecast.
- **20 IMPACT OF LAW CHANGES:** This line reflects the impact of 2020 bills that affected transfers out of or diversions from the General Fund. These bills are included in Table 5 in this section, and the bills are described in *Appendix A*.

**22 FISCAL YEAR-END GENERAL FUND RESERVE:** These figures represent the amount of General Fund in reserve after the transfers and other obligations described above have occurred. The ending General Fund reserve for one fiscal year becomes the beginning General Fund reserve for the next fiscal year.

**23-25 STATUTORY RESERVE REQUIREMENT:** Section 24-75-201.1 (1)(d), C.R.S., as amended by HB 20-1383, requires a General Fund reserve of 3.07 percent for FY 2019-20 and 2.86 percent for FY 2020-21. Table 6, above, provides the calculations for the statutory reserve, including the impact of HB 20-1383. Section 24-75-201.5, C.R.S., requires the Governor to take action to reduce state spending if revenue estimates indicate the General Fund reserve would fall below half of the required reserve in a given fiscal year.

### 3. STATUTORY AND CONSTITUTIONAL RESTRICTIONS

#### STATUTORY RESTRICTION ON APPROPRIATIONS

Prior to FY 2009-10, Section 24-75-201.1, C.R.S., restricted the increase in state General Fund appropriations to the lesser of 5.0 percent of Colorado personal income or 6.0 percent over the total General Fund appropriations for the previous fiscal year. While this provision existed, the lesser amount was 6.0 percent over the previous fiscal year's General Fund appropriations. Senate Bill 09-228 amended this provision to restrict General Fund appropriations to an amount equal to 5.0 percent of Colorado personal income. Section 24-75-201.1 (1)(a)(III), C.R.S., exempts certain appropriations from this restriction, including those associated with new federal mandates, requirements of final court orders, and voter-approved revenue increases.

Table 8 shows the calculation of statutorily allowable General Fund appropriations for FY 2020-21. The table also shows the General Fund appropriations that are exempt from or not subject to the statutory restriction on General Fund appropriations for FY 2020-21, and the difference between General Fund appropriations and the restriction for FY 2020-21.

TABLE 8 STATUTORY RESTRICTION ON GENERAL FUND APPROPRIATIONS FOR FY 2020-21 (\$ MILLIONS)	
Calendar Year 2018 Colorado Personal Income (base as defined in statute)	\$332,943.0
Multiplied by 5.0 Percent	<u>5.0%</u>
FY 2020-21 General Fund Appropriations Restriction	\$16,647.2
FY 2020-21 General Fund Appropriations	\$10,861.1
Less: General Fund Appropriations Exempt From/ Not Subject to Statutory Restriction	<u>(202.6)</u>
FY 2020-21 General Fund Appropriations Subject to Restriction	\$10,658.5
Over/(Under) FY 2020-21 General Fund Appropriations Restriction	(\$5,988.7)

## CONSTITUTIONAL RESTRICTIONS

**SECTION 20 OF ARTICLE X (TABOR):** In addition to the statutory restriction on General Fund appropriations, Section 20 of Article X of the State Constitution (the Taxpayer's Bill of Rights or "TABOR") places restrictions on the amount of total General Fund and cash fund revenues that may be collected and spent by the State. This section provides information about this constitutional revenue and spending restriction.

TABOR has several key provisions that impact the state budget:

- "State fiscal year spending" is defined as expenditures or reserve increases. In other words, all revenues received by the State that are not specifically exempt are considered "spending".
- The change in state fiscal year spending for the next year is restricted to the percentage change in the consumer price index (inflation) plus the percentage change in state population in the prior calendar year, adjusted for revenue changes approved by the voters after 1991.
- The base for calculating the allowable growth is the *lesser* of either actual revenues or the allowable limit.

Each quarterly revenue forecast includes the calculations for revenues that are subject to TABOR and the TABOR limit for each fiscal year.

**REFERENDUM C:** Voters approved Referendum C in November 2005. This measure authorizes the State to retain and spend money in excess of the constitutional limitation on state fiscal year spending as follows:

- For FY 2005-06 through FY 2009-10, this measure authorized the State to retain and spend all state revenues in excess of the limitation on state fiscal year spending.
- For FY 2010-11 and each succeeding fiscal year, this measure authorizes the State to retain and spend all state revenues in excess of the limitation on state fiscal year spending, but less than a newly defined "excess state revenues" cap for the given fiscal year. The excess state revenues cap is equal to the highest annual total state revenues from FY 2005-06 through FY 2009-10, adjusted each subsequent fiscal year for inflation, the percentage change in state population, enterprises, and debt service charges.

Within the General Fund, the measure established the General Fund Exempt Account, which consists of the amount of state revenues in excess of the limitation on state fiscal year spending that the State would have refunded had Referendum C not passed. The measure further established that money in the Account would be appropriated or transferred to fund:

- health care;
- education, including related capital construction projects;
- retirement plans for firefighters and police officers, so long as the General Assembly determines that such funding is necessary; and
- strategic transportation projects included in the Department of Transportation's strategic transportation project investment program.

The measure clarified that the statutory restriction on General Fund appropriations and associated exceptions or exclusions applies to money in the General Fund Exempt Account.

The measure requires the Director of Research of the Legislative Council Staff to annually prepare a report that includes the amount of excess state revenues that the State retained and a description of how the excess state revenues were expended.

Table 9 summarizes the General Fund Exempt Account appropriations made in compliance with Referendum C (see Sections 24-77-103.6 and 24-77-104.5, C.R.S.).

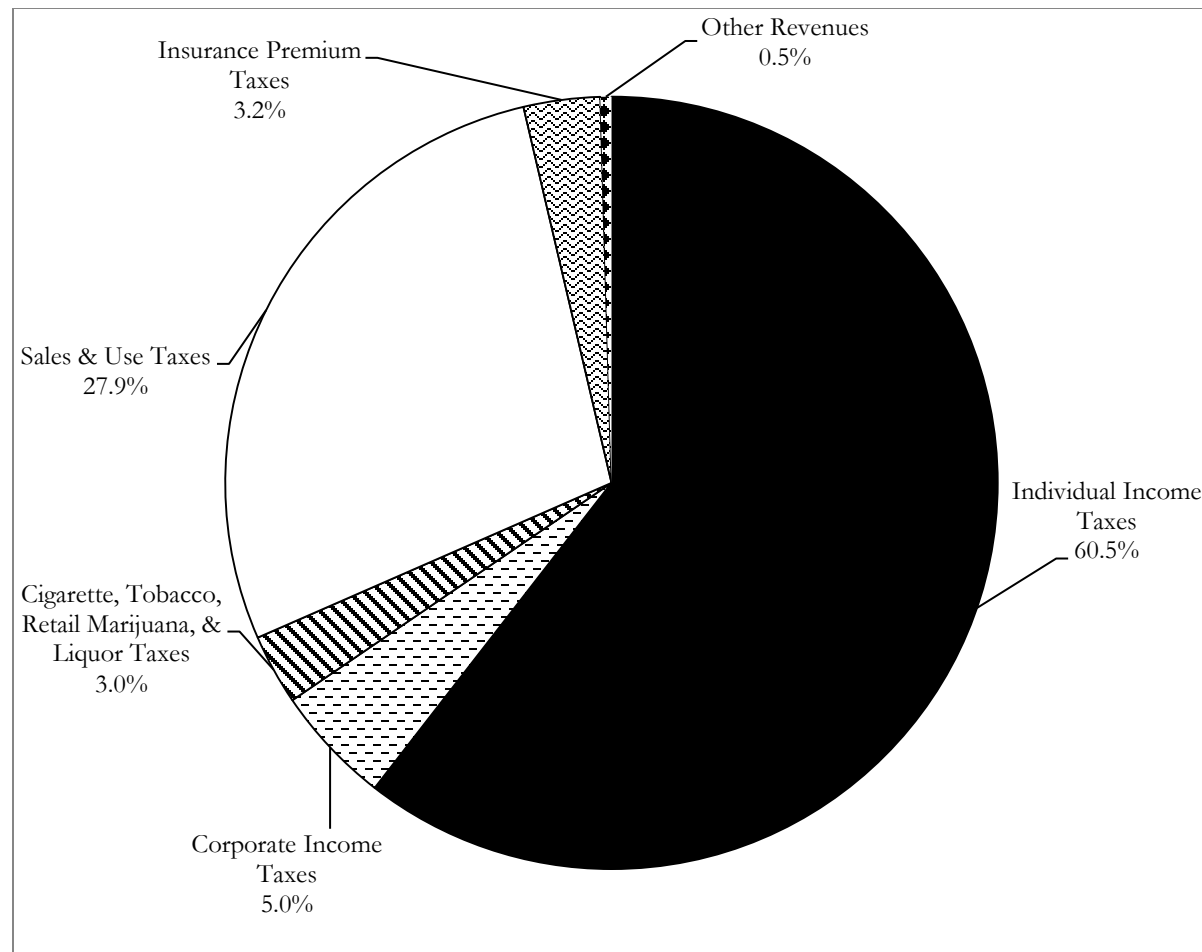
TABLE 9  
REFERENDUM C: GENERAL FUND EXEMPT ACCOUNT APPROPRIATIONS BY PROGRAM  
(\$ MILLIONS)

DEPARTMENT	LINE ITEM	FY 2019-20	FY 2020-21
Education	State Share of Districts' Total Program Funding	\$523.3	\$84.5
Health Care Policy and Financing	Medical Services Premiums	523.3	84.5
Higher Education	Various Line Items	463.2	24.4
Local Affairs	Volunteer Firefighter Retirement Plans	4.3	4.3
Transportation	Capital Construction - Transportation Highway Construction Projects	0.5	0.5
<b>TOTAL</b>		<b>\$1,514.7</b>	<b>\$198.2</b>

# C: SUMMARY CHARTS AND TABLES

## 1. SOURCES OF GENERAL FUND REVENUE

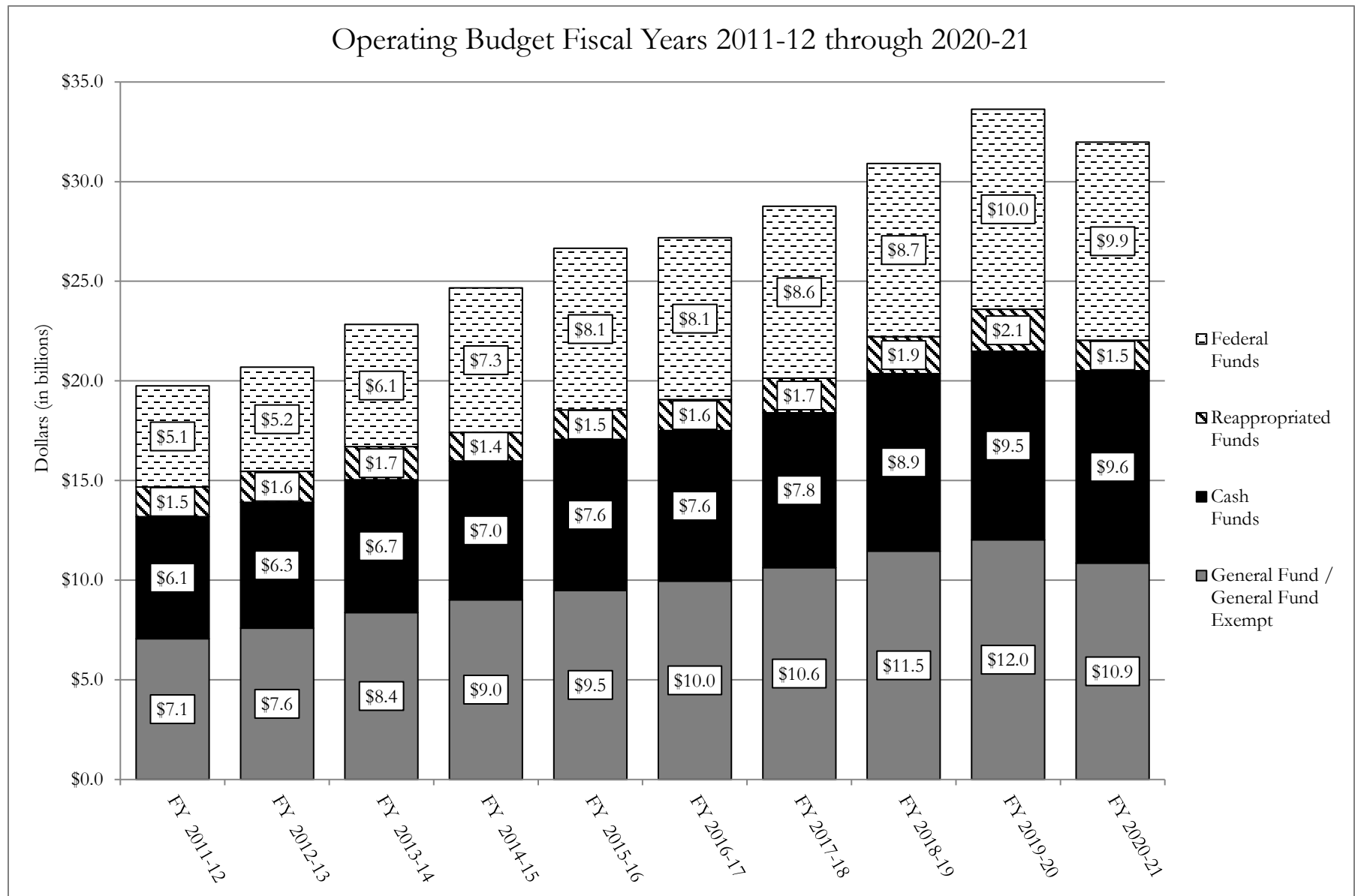
ESTIMATED TOTAL GENERAL FUND REVENUE FY 2020-21 = \$10,755.0 MILLION<sup>1</sup>



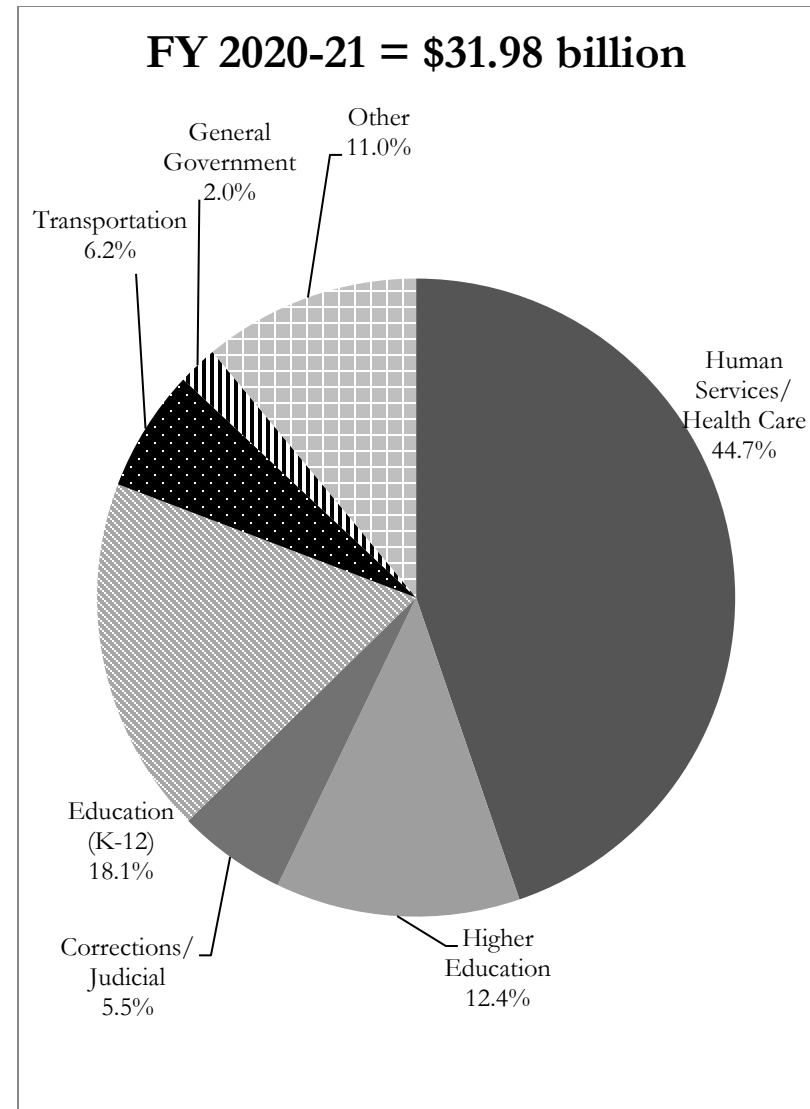
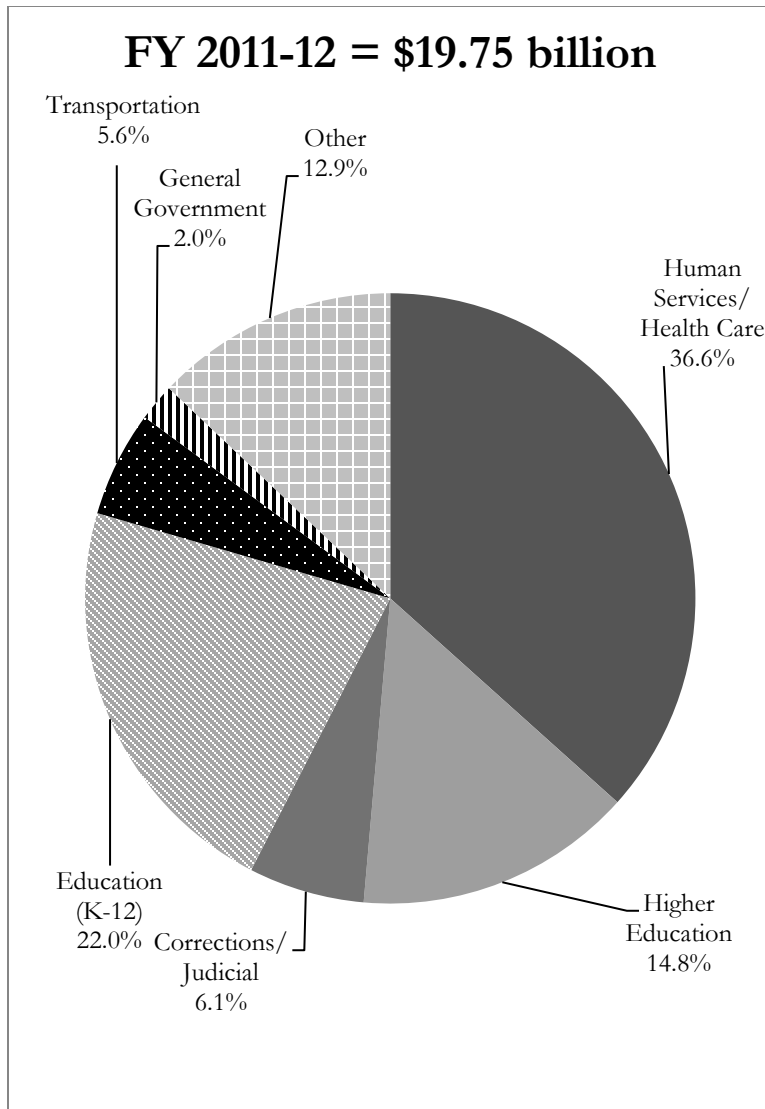
<sup>1</sup> Governor's Office of State Planning and Budgeting Colorado Economic and Fiscal Outlook dated May 12, 2020, which was used as the basis for the FY 2020-21 budget. The percentages are based on projected General Fund revenues, less the amount of income tax receipts that are credited to the State Education Fund (\$573.2 million). Please note that these revenue projections do not reflect the impact of 2020 legislation.



## 2. HISTORY OF APPROPRIATIONS BY FUND SOURCE

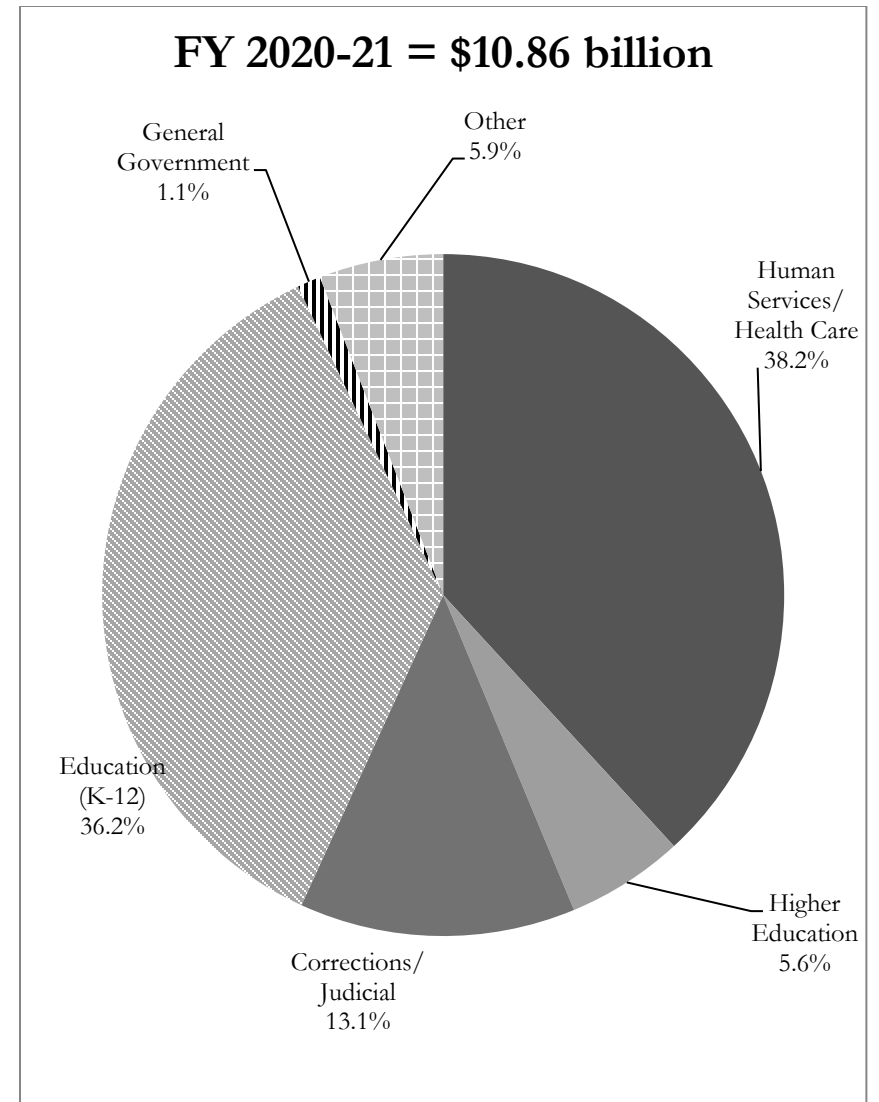
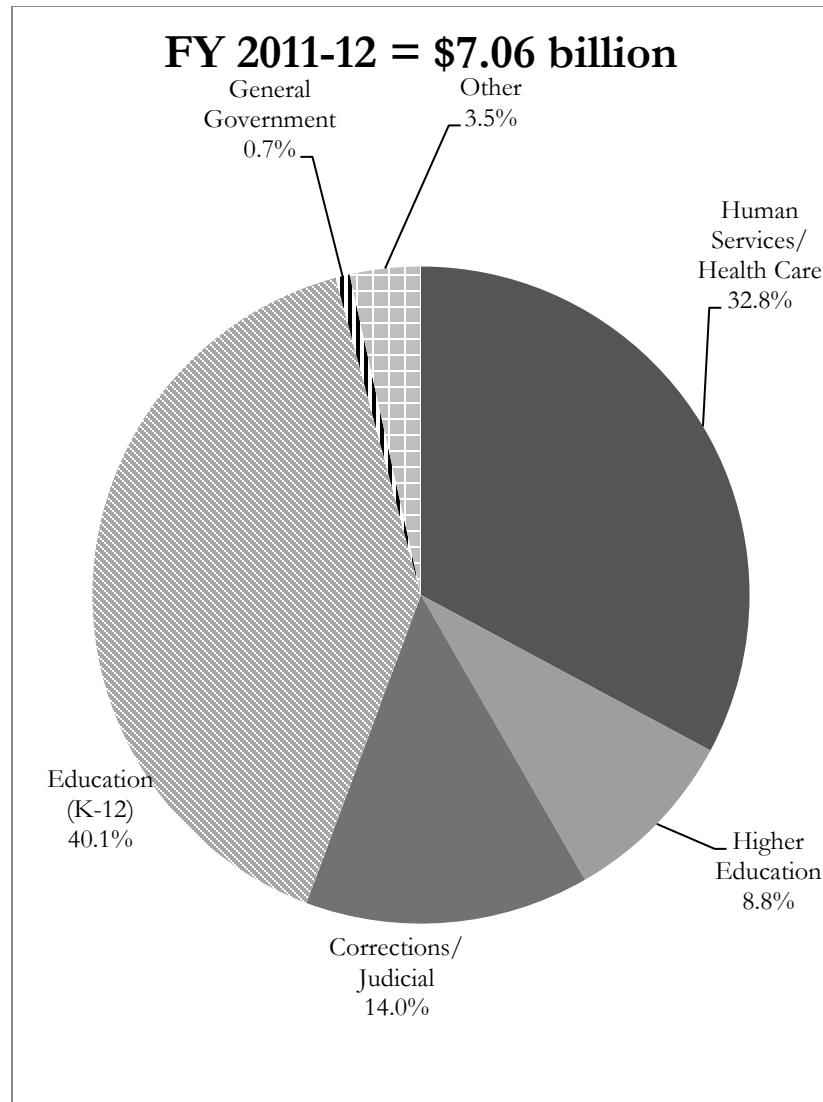


### 3. A. COMPARISON OF TOTAL OPERATING APPROPRIATIONS BY PROGRAM TYPE



Note: The “General Government” category includes the Governor’s Office, the Legislative Department, and the Department of Personnel.

### 3. B. COMPARISON OF GENERAL FUND OPERATING APPROPRIATIONS BY PROGRAM TYPE



Note: The “General Government” category includes the Governor’s Office, the Legislative Department, and the Department of Personnel.

## 4. FY 2019-20 OPERATING APPROPRIATIONS BY DEPARTMENT

FY 2019-20 OPERATING APPROPRIATIONS BY DEPARTMENT AND FUND SOURCE						
DEPARTMENT	TOTAL FUNDS	GENERAL FUND <sup>1,2</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Agriculture	\$55,738,636	\$12,098,767	\$37,231,886	\$2,498,418	\$3,909,565	297.8
Corrections	998,134,380	891,299,801	47,901,602	51,757,665	7,175,312	6,316.3
Education <sup>1</sup>	6,696,803,356	4,413,841,994	1,111,463,635	42,577,029	1,128,920,698	616.4
Governor <sup>2</sup>	426,015,599	73,898,493	51,577,746	293,687,073	6,852,287	1,161.7
Health Care Policy and Financing <sup>1</sup>	10,822,697,714	2,974,355,707	1,399,023,430	93,709,522	6,355,609,055	544.6
Higher Education <sup>1,2</sup>	5,311,541,303	1,111,529,895	2,822,976,639	901,199,179	475,835,590	26,304.0
Human Services <sup>2</sup>	2,358,741,148	1,028,050,155	445,987,547	211,209,030	673,494,416	5,134.2
Judicial	835,625,577	606,121,371	173,009,573	52,069,633	4,425,000	4,870.8
Labor and Employment	271,969,109	25,519,883	82,643,259	10,092,733	153,713,234	1,292.8
Law <sup>2</sup>	92,486,498	18,867,152	17,688,477	53,606,154	2,324,715	513.5
Legislative Department	56,653,663	55,197,745	90,000	1,365,918	0	306.9
Local Affairs <sup>1</sup>	349,121,165	48,817,338	205,682,582	12,565,874	82,055,371	189.7
Military and Veterans Affairs	131,718,845	11,856,255	1,470,429	4,143	118,388,018	2,579.1
Natural Resources	337,036,481	42,671,491	260,232,426	7,523,560	26,609,004	1,495.9
Personnel	210,970,039	17,132,726	14,485,983	179,351,330	0	404.9
Public Health and Environment <sup>1,2</sup>	620,331,634	62,733,564	206,351,030	49,385,559	301,861,481	1,384.6
Public Safety	533,434,449	171,309,553	239,452,903	52,591,767	70,080,226	1,908.1
Regulatory Agencies	118,827,932	2,324,519	109,697,995	5,482,149	1,323,269	591.8
Revenue	404,168,558	124,688,584	272,293,824	6,149,821	1,036,329	1,564.9
State	41,386,696	8,418,590	32,968,106	0	0	145.9
Transportation	2,112,021,087	0	1,483,476,167	7,078,096	621,466,824	3,328.8
Treasury	845,238,803	322,775,495	448,557,959	73,905,349	0	32.9
<b>OPERATING TOTAL<sup>3</sup></b>	<b>\$33,630,662,672</b>	<b>\$12,023,509,078</b>	<b>\$9,464,263,198</b>	<b>\$2,107,810,002</b>	<b>\$10,035,080,394</b>	<b>60,985.6</b>

<sup>1</sup> Includes General Fund Exempt.

<sup>2</sup> Includes funds from the CARE subfund in the General Fund.

<sup>3</sup> For information about Capital Construction appropriations, see the Capital Construction Sections of this report.

## 5. FY 2020-21 OPERATING APPROPRIATIONS BY DEPARTMENT

FY 2020-21 OPERATING APPROPRIATIONS BY DEPARTMENT AND FUND SOURCE						
DEPARTMENT	TOTAL FUNDS	GENERAL FUND <sup>1,2</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Agriculture	\$55,813,584	\$11,344,162	\$37,944,741	\$2,575,576	\$3,949,105	299.5
Corrections	949,981,500	841,277,322	47,652,059	51,364,657	9,687,462	6,463.1
Education <sup>1</sup>	5,794,114,351	3,929,010,921	1,047,522,606	39,999,728	777,581,096	609.0
Governor <sup>2</sup>	375,448,511	52,762,694	25,289,951	290,822,049	6,573,817	1,178.9
Health Care Policy and Financing <sup>1,2</sup>	12,033,835,747	3,184,706,003	1,767,368,404	45,956,525	7,035,804,815	556.7
Higher Education <sup>1,2</sup>	3,963,717,295	604,518,340	2,901,671,594	431,676,885	25,850,476	26,733.3
Human Services <sup>2</sup>	2,278,676,218	960,429,029	420,236,935	208,978,816	689,031,438	5,178.6
Judicial	816,409,670	580,369,837	175,497,336	56,117,497	4,425,000	4,945.8
Labor and Employment	265,701,603	18,494,327	81,509,312	6,388,200	159,309,764	1,290.7
Law <sup>2</sup>	91,571,561	14,284,514	19,457,503	55,459,309	2,370,235	518.0
Legislative Department	54,872,111	53,636,489	90,000	1,145,622	0	306.5
Local Affairs <sup>1</sup>	333,692,750	41,556,437	195,000,550	15,178,663	81,957,100	199.4
Military and Veterans Affairs	132,286,225	10,343,790	1,641,694	163,167	120,137,574	2,534.6
Natural Resources	331,688,190	32,699,083	265,159,811	7,170,362	26,658,934	1,511.9
Personnel	209,535,176	14,049,455	13,872,652	181,613,069	0	408.8
Public Health and Environment <sup>1,2</sup>	598,125,192	59,958,515	188,149,625	49,047,028	300,970,024	1,397.0
Public Safety	504,235,868	152,018,983	235,478,753	46,820,156	69,917,976	1,905.8
Regulatory Agencies	118,752,799	1,940,640	109,836,123	5,533,354	1,442,682	600.8
Revenue	406,485,547	117,400,299	281,140,152	6,908,583	1,036,513	1,592.6
State	31,103,181	0	31,103,181	0	0	147.0
Transportation	1,984,492,382	1,000,000	1,346,836,605	7,078,096	629,577,681	3,326.0
Treasury	653,265,603	179,288,912	456,543,447	17,433,244	0	37.9
<b>OPERATING TOTAL<sup>3</sup></b>	<b>\$31,983,805,064</b>	<b>\$10,861,089,752</b>	<b>\$9,649,003,034</b>	<b>\$1,527,430,586</b>	<b>\$9,946,281,692</b>	<b>61,741.9</b>

<sup>1</sup> Includes General Fund Exempt.

<sup>2</sup> Includes funds from the CARE subfund in the General Fund.

<sup>3</sup> For information about Capital Construction appropriations, see the Capital Construction Sections of this report.

## **PART II**

# **DEPARTMENT SUMMARIES**

# DEPARTMENT OF AGRICULTURE

The Department of Agriculture regulates, promotes, and supports agricultural activities throughout Colorado and provides a wide range of services including: regulation and certification of the livestock industry; regulation of the use of pesticides and pesticide applicators; administration of inspection and consumer services programs; inspection of livestock brands; oversight of conservation services across the state; promotion of Colorado's agricultural industries; regulation of the industrial hemp industry; and administration of the State Fair and fairgrounds. The Department's budget is comprised of the Commissioner's Office and Administrative Services, Agricultural Services, the Agricultural Markets Division, the Brand Board, the Colorado State Fair, and the Conservation Board.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	\$10,506,004	\$11,107,420	\$12,098,767	\$11,344,162
Cash Funds	33,408,408	34,082,132	37,231,886	37,944,741
Reappropriated Funds	2,371,548	2,494,460	2,498,418	2,575,576
Federal Funds	3,960,959	3,908,862	3,909,565	3,949,105
<b>TOTAL FUNDS</b>	<b>\$50,246,919</b>	<b>\$51,592,874</b>	<b>\$55,738,636</b>	<b>\$55,813,584</b>
Full Time Equiv. Staff	291.4	289.9	297.8	299.5

## GENERAL FACTORS DRIVING THE BUDGET

Funding for this department for FY 2020-21 consists of 20.3 percent General Fund, 68.0 percent cash funds, 4.6 percent reappropriated funds, and 7.1 percent federal funds. Some of the major factors driving the Department's budget are discussed below.

### AGRICULTURAL SERVICES

Funding appropriated to Agricultural Services is expended on four program areas: animal industry, plant industry, inspection and consumer services, and conservation services. Agricultural Services accounts for 35.2 percent of the Department's total appropriation in FY 2020-21, including 44.4 percent of the Department's total General Fund appropriation and 30.2 percent the of the Department's total cash fund appropriation. The primary source of funding for the section is cash fund revenue from license and inspection fees. The following table illustrates recent expenditures and appropriations to the Agricultural Services Divisions:

AGRICULTURAL SERVICES DIVISIONS 5-YEAR APPROPRIATIONS HISTORY					
	FY 2016-17 ACTUAL	FY 2017-18 ACTUAL	FY 2018-19 ACTUAL	FY 2019- 20 APPROPRIATED	FY 2020-21 APPROPRIATED
ASDs Total	\$16,756,472	\$17,059,678	\$19,129,418	\$18,278,051	\$19,656,081
Department Total	47,353,514	47,209,260	49,787,694	55,738,636	55,813,584
Percent of Department	35.4%	36.1%	23.9%	32.8%	35.2%

### DEPARTMENT WORKLOAD

Cash funds make up the majority of funding for this Department and these appropriations respond to changes in workload for products or services associated with specific cash funds. The Department's three largest cash funds are the: State Fair Cash Fund; Brand Inspection Cash Fund; and Plant Health, Pest Control, and Environmental Protection Cash Fund. Appropriations from these funds account for 55.6 percent of the Department's total cash funds appropriation in FY 2020-21.

## AGRICULTURE MANAGEMENT FUND

The Agriculture Management Fund (AMF) was created by H.B. 08-1399 (Ag Unclaimed Property Trust Fund Interest), which authorized the transfer of the interest earned on the Unclaimed Property Tourism Promotion Trust Fund. At the Commissioner's discretion, the AMF supports projects and programs in various divisions, as well as a portion of expenses for the recent consolidation of non-fair divisions into a new office building and lab facility. Interest transfers began in FY 2008-09 and are divided between the following funds:

- 65.0 percent to the Agriculture Management Fund to be used for agricultural purposes and staff;
- 25.0 percent to the Colorado State Fair Authority Cash Fund to be used for expenses incurred by running the State Fair and fair ground maintenance; and
- 10.0 percent to the Colorado Travel and Tourism Fund in the Office of the Governor to be used for the promotion of Destination Development.

The Department allowed the fund balance in the AMF to grow for several years anticipating capital costs while consolidating many of its offices to the one in Broomfield. The table below outlines the AMF's annual cash flow beginning in FY 2011-12 and represents a "point-in-time" observation of the fund. Hidden within the figures forming the basis for these calculations are items that may result in a couple figures standing out to the reader. Both stem from the AMF's statutory authorization to retain in the fund the proceeds for the disposition of two properties: (1) the warehouse located at 5000 Packing House Road in Denver, which was sold in FY 2017-18 for approximately \$650,000; and (2) the inspection and consumer services lab, which sold for \$7.0 million in August 2018.

AGRICULTURE MANAGEMENT FUND 10-YEAR OPERATING REVENUE AND EXPENDITURES				
FISCAL YEAR	TOTAL REVENUE	TOTAL EXPENDITURES	NET ANNUAL CASH FLOW	END OF YEAR FUND BALANCE
2011-12	\$2,473,188	(\$2,095,963)	\$377,225	\$2,188,504
2012-13	2,689,156	(2,565,091)	124,065	2,312,569
2013-14	3,721,185	(3,747,514)	(26,329)	2,286,240
2014-15	3,111,889	(3,656,445)	(544,556)	1,741,684
2015-16	3,009,565	(1,897,231)	1,112,334	2,854,018
2016-17	2,696,909	(1,428,078)	1,268,832	4,133,602
2017-18	2,947,657	(214,577)	2,733,080	6,866,682
2018-19	1,453,357	(2,583,712)	(1,130,355)	5,736,327
2019-20 Estimate	2,573,090	(6,344,680)	(3,771,590)	2,091,803
2020-21 Estimate	2,573,090	(2,470,389)	102,701	2,194,504

## APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

DEPARTMENT OF AGRICULTURE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$54,671,192	\$11,975,760	\$36,289,774	\$2,496,093	\$3,909,565	290.8
SB 19-158	123,007	123,007	0	0	0	1.6
SB 19-186	239,592	0	239,592	0	0	0.6
SB 19-220	406,470	0	406,470	0	0	4.6
HB 20-1242	298,375	0	296,050	2,325	0	0.2
<b>TOTAL</b>	<b>\$55,738,636</b>	<b>\$12,098,767</b>	<b>\$37,231,886</b>	<b>\$2,498,418</b>	<b>\$3,909,565</b>	<b>297.8</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$55,738,636	\$12,098,767	\$37,231,886	\$2,498,418	\$3,909,565	297.8
Industrial hemp compliance funding	586,502	0	579,774	6,728	0	1.0
Indirect cost adjustment	488,358	0	320,743	127,950	39,665	0.5
Centrally appropriated line items	250,443	103,523	142,240	4,805	(125)	0.0
Hemp Center of Excellence funding	103,403	0	103,403	0	0	0.0
Pet animal care facilities licensing	77,050	0	77,050	0	0	0.0
Lab equipment maintenance agreement	48,000	0	48,000	0	0	0.0



DEPARTMENT OF AGRICULTURE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Refinance General Fund with Ag Management Fund	0	(436,440)	436,440	0	0	0.0
Unused spending authority	(382,528)	0	(322,528)	(60,000)	0	0.0
Reduce 4H and FFA at the State Fair	(275,000)	(125,000)	(150,000)	0	0	0.0
Implementing budget efficiencies	(214,143)	(89,300)	(124,843)	0	0	(1.0)
Annualize prior year budget actions and legislation	(75,829)	428	(73,932)	(2,325)	0	1.2
Funding for Ag Marketing support	(50,000)	(50,000)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$56,294,892</b>	<b>\$11,501,978</b>	<b>\$38,268,233</b>	<b>\$2,575,576</b>	<b>\$3,949,105</b>	<b>299.5</b>
HB 20-1379	(481,308)	(157,816)	(323,492)	0	0	0.0
<b>TOTAL</b>	<b>\$55,813,584</b>	<b>\$11,344,162</b>	<b>\$37,944,741</b>	<b>\$2,575,576</b>	<b>\$3,949,105</b>	<b>299.5</b>
<b>INCREASE/(DECREASE)</b>	\$74,948	(\$754,605)	\$712,855	\$77,158	\$39,540	1.7
Percentage Change	0.1%	(6.2%)	1.9%	3.1%	1.0%	0.6%

## FY 2019-20 APPROPRIATION – MID-YEAR ADJUSTMENTS

House Bill 20-1242 modifies FY 2019-20 appropriations to provide an increase of \$298,375 total funds and 0.2 FTE for the following:

- \$263,574 and 0.2 FTE for activities related to compliance with federal rule concerning crop testing and laboratory certification; and
- \$34,801 total funds to establish a Center of Excellence for industrial hemp.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**SUMMARY OF FY 2020-21 BUDGET BALANCING APPROPRIATIONS:** The FY 2020-21 appropriation adjustments in this table include a reduction of \$325,000 total funds, comprised of reductions of \$611,440 General Fund and an increase of \$286,440 cash funds, for budget balancing purposes. These actions are described individually below.

**INDUSTRIAL HEMP COMPLIANCE FUNDING:** The appropriation includes an increase of \$586,502 total funds, including \$579,774 cash funds from the Industrial Hemp Registration Program Cash Fund and an internal transfer of \$6,728 reappropriated funds for indirect cost assessments, to allow the Colorado Department of Agriculture to provide satisfactory regulation to industrial hemp cultivation and processing. The funding allows the Department to comply with temporary rules as the final rules are promulgated by the U.S. Department of Agriculture.

**INDIRECT COST ADJUSTMENT:** The appropriation includes a net increase in the department's indirect cost assessment.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to the following centrally appropriated line items: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; PERA direct distributions; shift differential; workers' compensation; legal services; administrative law judges; payment to risk management and property funds; vehicle lease payments; payments to the Governor's Office of Information Technology (OIT); and CORE operations. The appropriation includes a Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction.

**HEMP CENTER OF EXCELLENCE FUNDING:** The appropriation includes \$103,403 from the Industrial Hemp Registration Program Cash Fund to hire a contractor to establish a Center of Excellence for industrial hemp in Colorado, which will allow Colorado to apply for funding from the U.S. Department of Agriculture for grants related to hemp research and education for producers.

**PET ANIMAL CARE FACILITIES LICENSING:** The appropriation includes an increase of \$77,050 cash funds from the Pet Animal Care Facilities Fund to implement a qualifying education course and continued competency requirement to qualify for a Pet Animal Care Facilities Act (PACFA) license. The funding is to acquire licenses for software and other testing-related operating costs and does not affect the current fees charged to licensees.

**LAB EQUIPMENT MAINTENANCE AGREEMENT:** The appropriation includes \$48,000 in ongoing cash funds from the Marijuana Tax Cash Fund to support the maintenance costs of critical marijuana pesticide testing instrumentation.

**REFINANCE GENERAL FUND WITH AG MANAGEMENT FUND:** The appropriation includes a net-neutral refinance of General Fund with appropriations from the Agriculture Management Fund.

**UNUSED SPENDING AUTHORITY:** The appropriation includes a reduction of \$382,528 total funds to eliminate unused spending authority within the budget.

**REDUCE 4-H AND FFA AT STATE FAIR:** The appropriation includes a reduction of \$275,000 total funds, including \$125,000 General Fund and \$150,000 cash funds from the Marijuana Tax Cash Fund. This is a budget balancing action.

**IMPLEMENTING BUDGET EFFICIENCIES:** The appropriation includes a decrease of \$214,143 total funds, including \$89,300 General Fund, and 1.0 FTE, for budgetary efficiencies. Reductions include: (1) the renegotiation of laboratory equipment maintenance contracts, (2) a one-time reduction to equipment leasing, and (3) a one-time FTE funding reduction to the State Insectary to account for federal funding expected to fund the position in FY 2020-21.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS AND LEGISLATION:** The appropriation includes several changes to reflect the out year impact of prior year budget actions and legislation.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS AND LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB19-186 Expand ag chemical regulation	\$326,484	\$0	\$326,484	\$0	\$0	1.4
FY19-20 R1 Biological pest control	428	428	0	0	0	0.0
FY 19-20 Salary survey	0	0	0	0	0	0.0
HB20-1242 Supplemental Bill	(298,375)	0	(296,050)	(2,325)	0	(0.2)
SB19-220 Regulate hemp like federal gov't	(104,366)	0	(104,366)	0	0	0.0
<b>TOTAL</b>	<b>(\$75,829)</b>	<b>\$428</b>	<b>(\$73,932)</b>	<b>(\$2,325)</b>	<b>\$0</b>	<b>1.2</b>

**AGRICULTURE MARKETING SUPPORT:** The appropriation includes a one-time decrease of \$50,000 General Fund originally appropriated to provide technical support and the costs associated with sending international trade delegations to encourage expansion of international and domestic markets with active contracts with Colorado agriculture products producers. This action was taken for budget balancing purposes.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# DEPARTMENT OF CORRECTIONS

The Department is responsible for:

- Managing, supervising, and controlling the correctional facilities operated and supported by the State;
- Supervising the population of offenders placed in the custody of the Department, including inmates, parolees, and transition inmates who are placed into community corrections programs;
- Planning for the projected, long-range needs of the institutions under the Department's control; and
- Developing educational, treatment, and correctional industries programs that have a rehabilitative or therapeutic value for inmates and supply products for state and private purposes, as provided by law.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	\$778,298,230	\$829,097,218	\$891,299,801	\$841,277,322
Cash Funds	39,182,940	40,610,054	47,901,602	47,652,059
Reappropriated Funds	51,620,128	54,336,517	51,757,665	51,364,657
Federal Funds	4,167,290	4,004,817	7,175,312	9,687,462
<b>TOTAL FUNDS</b>	<b>\$873,268,588</b>	<b>\$928,048,606</b>	<b>\$998,134,380</b>	<b>\$949,981,500</b>
Full Time Equiv. Staff	6,247.0	6,247.4	6,316.3	6,463.1

## GENERAL FACTORS DRIVING THE BUDGET

Funding for this department consists of 88.6 percent General Fund, 5.0 percent cash funds, 5.4 percent reappropriated funds, and 1.0 percent federal funds. Some of the major factors driving the Department's budget are discussed below.

### OPERATING APPROPRIATIONS

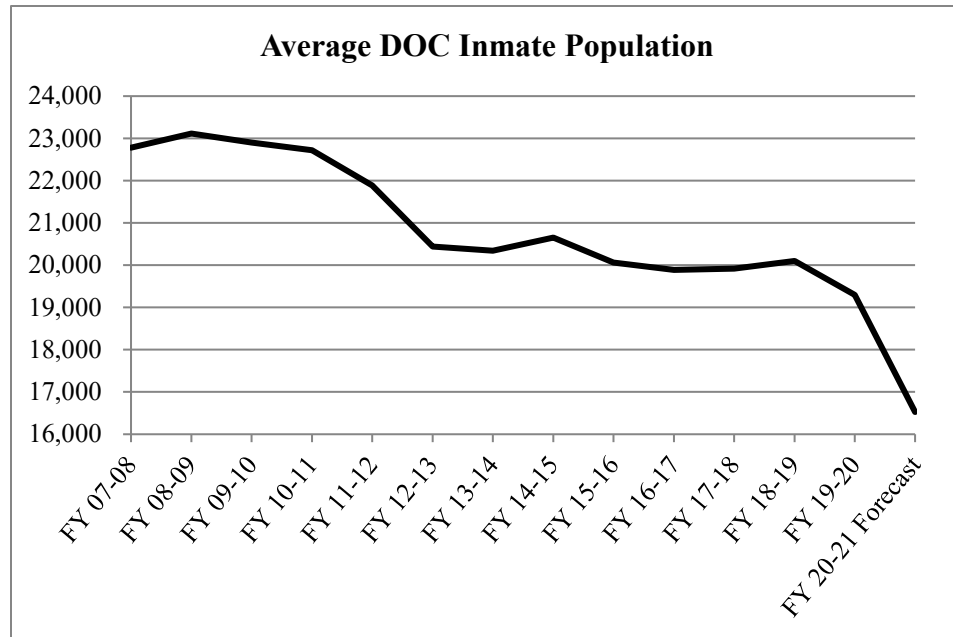
Appropriations for operating costs to the Department of Corrections (DOC) are largely dependent upon two key components of prison caseload:

- The DOC inmate population, which consists of DOC offenders with "inmate" status. These offenders have been sentenced to the DOC but are not on parole. They are housed in state-operated prisons, private prisons, county jails, and, in much smaller numbers, in community corrections facilities; a small portion live independently in the community under intensive supervision.
- The DOC parole population, which consists of DOC offenders who have been paroled but have not yet reached the end of their parole term. Parolees whose parole has been revoked are classified as inmates until reparoled.

### INMATE POPULATION

The following table and chart report the average DOC inmate population during recent fiscal years. This population peaked in FY 2008-09 and subsequently declined and rose twice. A much more rapid decline began in March 2020 when COVID-19 began spreading in the United States. Colorado's inmate population declined an average of 536 inmates per month over the last four months of FY 2019-20, an unprecedented drop. The FY 2020-21 forecast for the average inmate population in the following table is from a July 2020 forecast prepared by the Division of Criminal Justice at the Department of Public Safety that considers the impact of the coronavirus pandemic.

AVERAGE DOC INMATE POPULATION						
	FY 2015-16 ACTUAL	FY 2016-17 ACTUAL	FY 2017-18 ACTUAL	FY 2018-19 ACTUAL	FY 2019-20 ACTUAL	FY 2020-21 FORECAST
Average DOC inmate population	20,062	19,891	19,916	20,102	19,300	16,526
Percentage change from prior year	(2.9%)	(0.9%)	0.1%	0.9%	(4.0%)	(16.8%)



## DOC OFFENDERS IN COUNTY JAILS

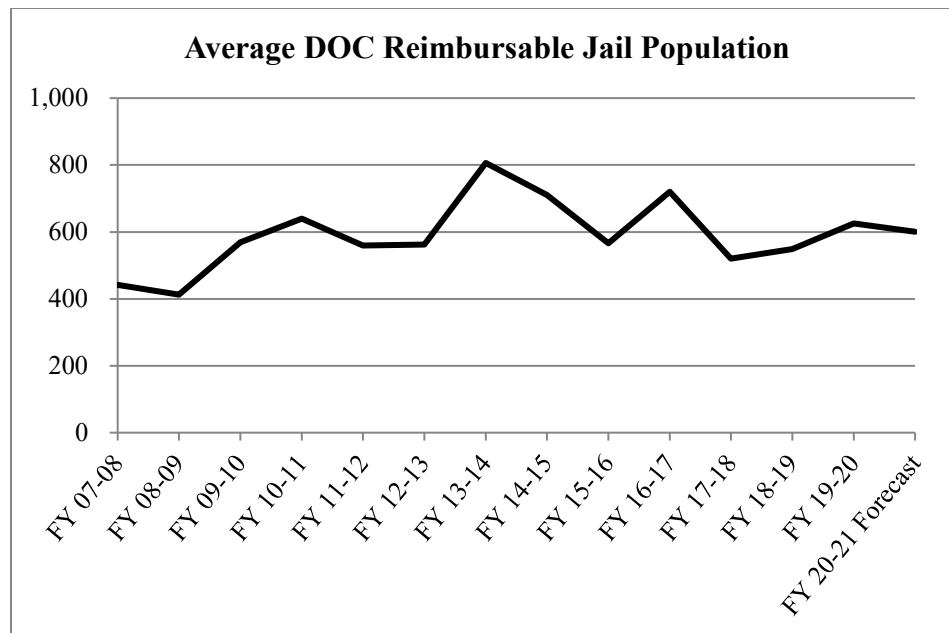
At any given time, one to two thousand DOC inmates and parolees are housed in county jails. They are in jail for a variety of reasons. Some are newly sentenced by a court to the DOC and await transfer from jail to the DOC's reception and diagnostic center. Other offenders were paroled and, following a parole violation, have been placed in jail for a few days to deter further misbehavior. Other parolees with more severe violations are awaiting a parole revocation hearing or are awaiting trial for a new crime committed while on parole. If parole is revoked, the parolee remains jailed until transferred to another facility. Still other DOC offenders may have been transported from prison to a jail on an order from a judge who needs them in court. In addition, the DOC sometimes contracts with county jails and places its inmates in these facilities on a long term basis.

The DOC pays jails to house some, but not all, of the DOC offenders who the jails hold. The following table and chart show the average "reimbursable" jail population during recent years, i.e. the average number of jailed DOC offenders for whom the DOC pays reimbursement. The substantial number of non-reimbursed DOC offenders who are in jails are excluded. The FY 2020-21 jail-population forecast in this table has not been updated to reflect the coronavirus pandemic; this is the pre-pandemic forecast on which the FY 2020-21 appropriation for payments to jails was based. Given the substantial reduction of the inmate population that has resulted from the pandemic, it is possible that the FY 2020-21 jail population will be lower than this forecast. In recent years, the reimbursable jail population has equaled 2.8 percent of the inmate population. If this relationship continues, the reimbursable jail population will decline to 467. However, parolees are sometimes also placed in jail, so the Department's currently rising parole population may place offsetting upward pressure on the jail population.

REIMBURSABLE DOC OFFENDERS IN COUNTY JAILS <sup>1</sup>						
	FY 2015-16 ACTUAL	FY 2016-17 ACTUAL	FY 2017-18 ACTUAL	FY 2018-19 ACTUAL	FY 2019-20 ACTUAL	FY 2020-21 FORECAST
Average DOC reimbursable <sup>1</sup> jail population	566	720	520	549	626	601
Percentage change from prior year	(20.3%)	27.1%	(27.7%)	5.6%	13.9%	(4.0%)
Daily reimbursement rate per offender	\$53.64	\$53.64	\$54.39	\$54.93	\$58.56	\$57.97
Percentage change from prior year	1.7%	0.0%	1.4%	1.0%	6.6%	(1.0%)

REIMBURSABLE DOC OFFENDERS IN COUNTY JAILS <sup>1</sup>						
	FY 2015-16 ACTUAL	FY 2016-17 ACTUAL	FY 2017-18 ACTUAL	FY 2018-19 ACTUAL	FY 2019-20 ACTUAL	FY 2020-21 FORECAST
Payments to jails	\$11,120,578	\$14,094,232	\$10,326,289	\$11,014,012	\$13,413,234	\$12,706,175
Percentage change from prior year	(18.7%)	26.7%	(26.7%)	6.7%	21.8%	(5.3%)

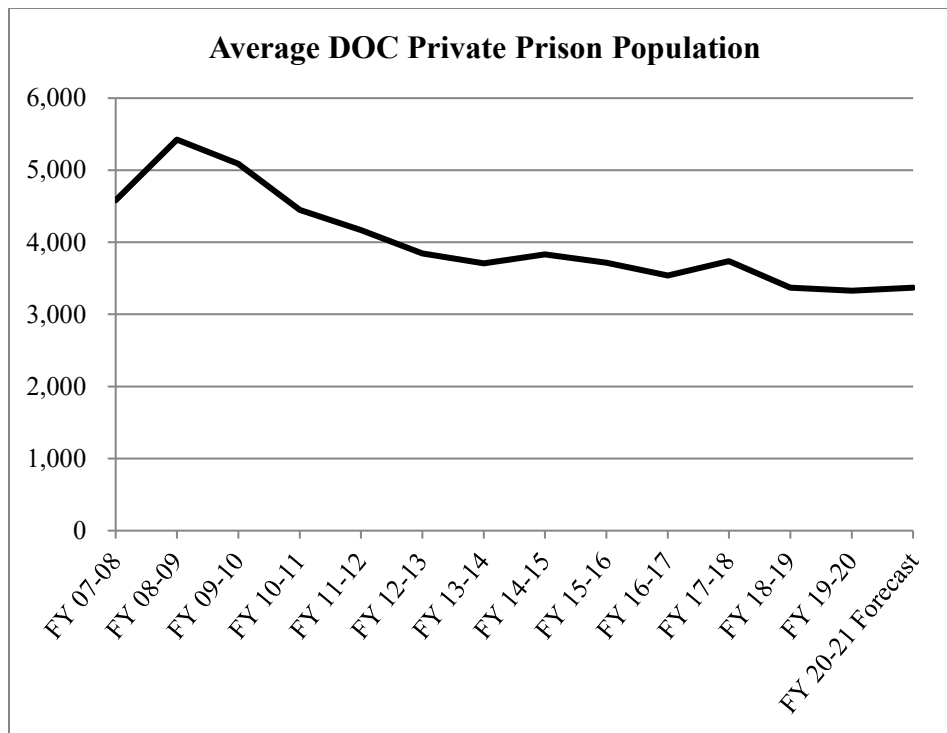
<sup>1</sup> DOC does not reimburse jails for all DOC offenders that jails hold. This table reports the average number of offenders for whom the DOC pays reimbursement.



## DOC OFFENDERS IN PRIVATE PRISONS

During the 1990s, the DOC began contracting with out-of-state prisons and in-state private prisons to house Colorado offenders. The DOC continues to house offenders at in-state private prisons, but Colorado inmates have not been housed at out-of-state prisons since FY 2007-08. The following table summarizes the recent in-state private prison population and related costs to DOC. Note that the number of inmates in private prisons is constrained by the number of available private prison beds. Like the jail population forecast, the FY 2020-21 private prison population forecast has not been updated to reflect the coronavirus pandemic; it is the forecast on which the FY 2020-21 appropriation was based.

DOC INMATES IN PRIVATE PRISONS						
	FY 2015-16 ACTUAL	FY 2016-17 ACTUAL	FY 2017-18 ACTUAL	FY 2018-19 ACTUAL	FY 2019-20 ESTIMATE	FY 2020-21 FORECAST
Average private prison population	3,716	3,541	3,739	3,371	3,329	3,372
Percentage change from prior year	(3.1%)	(4.7%)	5.6%	(9.8%)	(1.3%)	1.3%
Daily reimbursement rate per offender	\$56.02	\$56.02	\$56.80	\$57.37	\$57.94	\$57.36
Percentage change from prior year	1.7%	0.0%	1.4%	1.0%	1.0%	(1.0%)
Per diem payments to private prisons	\$76,186,796	\$72,396,807	\$77,398,280	\$79,398,638	\$70,587,878	\$63,730,014
Percentage change from prior year	(1.1%)	(5.0%)	6.9%	2.6%	(11.1%)	(9.7%)



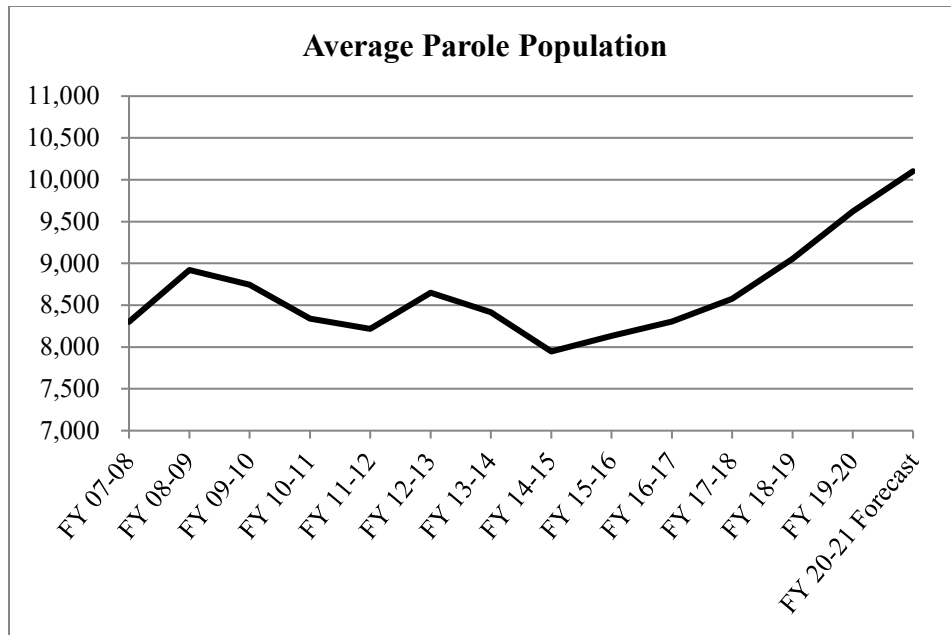
## TRANSITION AND PAROLE – RETURNING OFFENDERS TO THE COMMUNITY

The process of returning an offender to the community almost always involves a period of parole, but may include placement in a community corrections facility (also known as a halfway house) and a period of intensely supervised independent living in the community before parole begins (known as the *Intensive Supervision-Inmate* or *ISP-Inmate* Program). Inmates living in halfway houses or participating in the ISP-Inmate program are often referred to as "transition" offenders. A significant number of transition offenders return to prison for violating their transition conditions and a significant number of parolees are reincarcerated for violating their parole conditions.

The costs of returning offenders to the community are shared by the DOC and the Division of Criminal Justice (DCJ), which is part of the Department of Public Safety. The DCJ is responsible for payments to halfway houses, which are operated by private entities, non-profits, and local governments. The DOC shares responsibility with the halfway houses for oversight of DOC offenders in community corrections. The DOC alone is responsible for oversight of parolees and ISP-Inmate offenders. In addition, the DOC pays (1) some of the jail costs that arise when community-corrections offenders, ISP-Inmate offenders, and parolees are jailed for violations, and (2) all the incarceration costs following revocation.

Costs of parole supervision are tied to caseloads. The following table and chart report the average parole population in recent fiscal years. The FY 2020-21 parolee forecast in this table is from the Division of Criminal Justice; it takes into account the COVID-19 pandemic. The large number of inmates who are being released from prison due to the pandemic are expected to add to the parole population.

AVERAGE PAROLE POPULATION						
	FY 2015-16 ACTUAL	FY 2016-17 ACTUAL	FY 2017-18 ACTUAL	FY 2018-19 ACTUAL	FY 2019-20 ACTUAL	FY 2020-21 FORECAST
Average parole population	8,133	8,306	8,578	9,056	9,620	10,103
Percentage change from prior year	2.3%	2.1%	3.3%	5.3%	5.9%	4.8%



## APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

DEPARTMENT OF CORRECTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 APPROPRIATION:</b>						
SB 19-207	\$975,865,876	\$872,913,457	\$47,619,442	\$51,757,665	\$3,575,312	6,266.8
SB 15-067	505,907	505,907	0	0	0	0.0
HB 15-1043	9,397,689	9,397,689	0	0	0	0.0
HB 15-1229	5,076	5,076	0	0	0	0.0
HB 15-1341	487,701	487,701	0	0	0	0.0
HB 16-1080	131,181	131,181	0	0	0	0.0
SB 18-119	34,677	34,677	0	0	0	0.0
HB 18-1200	22,072	22,072	0	0	0	0.0
SB 19-008	492,750	492,750	0	0	0	1.6
SB 19-143	25,200	25,200	0	0	0	0.0
SB 19-165	293,774	293,774	0	0	0	1.8
HB 19-1064	784,542	784,542	0	0	0	9.1
HB 20-1019	5,511,167	5,450,197	60,970	0	0	37.0
HB 20-1243	4,576,768	4,355,578	221,190	0	0	0.0
HB 20-1360	0	(3,600,000)	0	0	3,600,000	0.0
<b>TOTAL</b>	<b>\$998,134,380</b>	<b>\$891,299,801</b>	<b>\$47,901,602</b>	<b>\$51,757,665</b>	<b>\$7,175,312</b>	<b>6,316.3</b>
<b>FY 2020-21 APPROPRIATION:</b>						
FY 2019-20 Appropriation	\$998,134,380	\$891,299,801	\$47,901,602	\$51,757,665	\$7,175,312	6,316.3
House inmates at Centennial South	12,162,509	12,080,349	82,160	0	0	173.4
CARES Act funding	6,200,000	0	0	0	6,200,000	0.0
Annualize prior year legislation	2,726,234	6,265,861	60,373	0	(3,600,000)	1.5
Medical caseload	292,998	292,998	0	0	0	0.0
Cost increases from other state agencies	106,036	106,036	0	0	0	0.0
Line item funding adjustments	0	0	0	0	0	1.0
Temporarily refinance volunteers program	0	(480,002)	480,002	0	0	0.0
Centrally appropriated line items	(19,768,877)	(19,744,197)	(27,148)	2,468	0	0.0
External Capacity Reductions	(12,562,816)	(12,562,816)	0	0	0	0.0
Hepatitis C treatment cost reduction	(10,145,760)	(10,145,760)	0	0	0	0.0
Budget balancing actions	(6,200,000)	(6,200,000)	0	0	0	0.0
Realign funding for offender services	(3,781,144)	(3,781,144)	0	0	0	0.0

DEPARTMENT OF CORRECTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Transitional Work Program	(2,000,000)	(2,000,000)	0	0	0	0.0
Close Skyline Correctional Center	(1,889,633)	(1,889,633)	0	0	0	(19.9)
Community provider rate	(1,150,738)	(1,128,316)	0	(22,422)	0	0.0
Correctional Industries raw materials adjustment	(1,000,000)	0	(700,000)	(300,000)	0	0.0
Reduce beds at La Vista Correctional Facility	(788,630)	(788,630)	0	0	0	(8.9)
FY 20-21 Funding already in statute from 5-year sentencing bills	(380,688)	(380,688)	0	0	0	0.0
Reduce reversions in multiple programs	(295,000)	(295,000)	0	0	0	0.0
Annualize prior year budget actions	(227,077)	(227,076)	(1)	0	0	0.9
Annual SB 15-211 depreciation-lease equivalent payments	(89,413)	(89,413)	0	0	0	0.0
Indirect cost adjustment	(75,839)	75,837	9,228	(73,054)	(87,850)	0.0
Temporarily suspend restorative justice program	(75,000)	(75,000)	0	0	0	(1.2)
Eliminate unused cash-fund appropriations	(12,947)	0	(12,947)	0	0	0.0
<b>HB 20-1360</b>	<b>\$959,178,595</b>	<b>\$850,333,207</b>	<b>\$47,793,269</b>	<b>\$51,364,657</b>	<b>\$9,687,462</b>	<b>6,463.1</b>
HB 16-1080	170,900	170,900	0	0	0	0.0
SB 18-119	39,334	39,334	0	0	0	0.0
HB 18-1077	69,856	69,856	0	0	0	0.0
HB 18-1200	34,677	34,677	0	0	0	0.0
SB 19-172	26,220	26,220	0	0	0	0.0
HB 19-1250	39,701	39,701	0	0	0	0.0
HB 20-1153	118,646	0	118,646	0	0	0.0
HB 20-1379	(9,388,586)	(9,128,730)	(259,856)	0	0	0.0
HB 20-1398	(307,843)	(307,843)	0	0	0	0.0
<b>TOTAL</b>	<b>\$949,981,500</b>	<b>\$841,277,322</b>	<b>\$47,652,059</b>	<b>\$51,364,657</b>	<b>\$9,687,462</b>	<b>6,463.1</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$48,152,880)</b>	<b>(\$50,022,479)</b>	<b>(\$249,543)</b>	<b>(\$393,008)</b>	<b>\$2,512,150</b>	<b>146.8</b>
Percentage Change	(4.8%)	(5.6%)	(0.5%)	(0.8%)	35.0%	2.3%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

Senate Bill 20-1019 increases the FY 2019-20 appropriation by \$5,511,167 total funds, comprised of \$5,450,197 General Fund and \$60,970 cash funds, to pay part of the cost of opening and operating two of the three towers of the prison on the south campus of Centennial Correctional Facility (“Centennial South”). This facility has been unoccupied for a number of years. The opening of Centennial South increases the number of state-owned prison beds following the closure of a private prison in early 2020 that housed state prisoners. The remainder of Centennial South’s costs are paid by increased appropriations in H.B. 20-1243.

House Bill 20-1243 increases the Department’s FY 2019-20 appropriation by \$4,576,768 total funds, including \$4,355,578 General Fund. Of this increase, (1) \$3,095,025 total funds, including \$3,073,835 General Fund, pays part of the cost of opening and operating two towers of Centennial South with the remainder of the prison’s costs paid by H.B. 20-1019, (2) \$7,778,946 General Fund pays for inmate medical care, and (3) \$72,677 General Fund pays for additional Parole Board staff. These increases are partially offset by a reduced appropriation for payments to private prisons of \$6,369,880 total funds, including a reduction of \$6,569,880 General Fund.

House Bill 20-1360 decreases the FY 2019-20 appropriation for correctional officers by \$3.6 million General Fund as a budget balancing measure and increases federal funds by \$3.6 million to reflect revenue from the federal CARES Act.



**SUMMARY OF FY 2019-20 MID-YEAR BUDGET BALANCING APPROPRIATIONS:** The Department's FY 2019-20 mid-year appropriation adjustments include a \$3.6 million General Fund reduction of the appropriation for Corrections Officers for budget balancing purposes.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**SUMMARY OF FY 2020-21 BUDGET BALANCING APPROPRIATIONS:** The FY 2020-21 appropriation adjustments in the preceding table include budget balancing reductions of \$12,104,001 total funds, consisting of decreases of \$32,026,751 General Fund and \$22,422 reappropriated funds and an increase of \$480,002 cash funds. These balancing actions are described individually below.

**HOUSE INMATES AT CENTENNIAL SOUTH:** The appropriation includes an additional \$12,162,509 total funds (\$12,080,349 General Fund) to operate two towers of Centennial South correctional facility during FY 2020-21.

**CARES ACT FUNDING:** The appropriation includes an increase of \$6.2 million federal funds to reflect revenue from the CARES Act.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$2,894,359	\$2,833,986	\$60,373	\$0	\$0	0.0
SB 19-008 Substance Use Disorder Treatment	75,593	75,593	0	0	0	0.4
HB 19-1360 One time CARES Act federal funding	0	3,600,000	0	0	(3,600,000)	0.0
HB 19-1064 Victim Notification Criminal Proceedings	(190,994)	(190,994)	0	0	0	0.9
SB 19-165 Increase Parole Board Membership	(52,724)	(52,724)	0	0	0	0.2
<b>TOTAL</b>	<b>\$2,726,234</b>	<b>\$6,265,861</b>	<b>\$60,373</b>	<b>\$0</b>	<b>(\$3,600,000)</b>	<b>1.5</b>

**MEDICAL CASELOAD:** The appropriation includes an increase of \$292,998 General Fund for medical caseload changes.

**COST INCREASES FROM OTHER STATE AGENCIES:** The appropriation includes \$106,036 General Fund to pay for increased costs at state agencies that supply maintenance, food, and radio dispatch services to DOC.

**LINE ITEM FUNDING ADJUSTMENTS:** The appropriation moves funding for (1) leased space, (2) the *Transitional Work Program*, and (3) drug and alcohol treatment for parolees and transition offenders among line items. In addition to these net-zero funding movements, the appropriation provides an additional 1.0 FTE for the *Transitional Work Program*.

**TEMPORARILY REFINANCE VOLUNTEERS PROGRAM:** For budget balancing purposes, the appropriation temporarily refinances \$480,002 of General Fund appropriated to the Department's volunteers program with cash funds from the Canteen Operation, which sells goods to inmates.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes the following adjustments to centrally appropriated line items: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; workers' compensation; legal services; payment to risk management and property funds; lease payments, vehicle lease payments; capital outlay; payments to the Governor's Office of Information Technology (OIT); and CORE operations. As a budget balancing

measure, the appropriation includes a \$19,465,170 General Fund Health, Life, and Dental decrease adjustment in lieu of a General Fund, personal services base reduction.

**EXTERNAL CAPACITY REDUCTIONS:** The appropriation reduces external capacity appropriations, which pay for placements of inmates in private prisons and in county jails, by \$12,562,816 General Fund. The reduction reflects the closure of a private prison in Colorado Springs and recent reductions in parole revocations.

**HEPATITIS C TREATMENT COST REDUCTION.** The appropriation reduces by \$10.1 million the General Fund appropriation for treatment of offenders who have hepatitis C, which reduces the total General Fund appropriation from \$20.5 million to \$10.4 million. By the end of FY 2019-20, the Department will have worked through its backlog of untreated hepatitis C cases. As a consequence, a reduced appropriation is sufficient to treat the estimated 624 offenders who will enter DOC during FY 2020-21 with a hepatitis C infection.

**BUDGET BALANCING ACTIONS:** As a budget balancing measure, the appropriation reduces spending for correctional officers by \$6.2 million General Fund.

**REALIGN FUNDING FOR OFFENDER SERVICES:** The appropriation includes a \$3.8 million General Fund reduction for offender services provided to parolees.

**TRANSITIONAL WORK PROGRAM:** As a budget balancing measure, the appropriation includes a \$2.0 million General Fund reduction for the Department's *Transitional Work Program*, reflecting reduced job placement opportunities for inmates who are nearing completion of their sentences.

**CLOSE SKYLINE CORRECTIONAL CENTER:** As a budget balancing measure, the appropriation includes a \$1,889,633 General Fund reduction in anticipation of the January 2021 closure of Skyline Correctional Center, a minimum security prison in Canon City. The closure is the result of an expected lower population of inmates.

**COMMUNITY PROVIDER RATE:** As a budget balancing measure, the appropriation includes a \$1,150,738 total funds reduction, including a decrease of \$1,128,316 General Fund, due to a one percent reduction of the rate paid to private prisons and county jails for housing DOC inmates and the rate paid to various providers of medical and mental health services.

**CORRECTIONAL INDUSTRIES RAW MATERIALS ADJUSTMENT:** The appropriation eliminates \$1.0 million of cash and reappropriated funds for Correctional Industries to purchase raw materials that are unlikely to be needed.

**REDUCE BEDS AT LA VISTA CORRECTIONAL FACILITY:** As a budget balancing measure, the appropriation includes a \$788,630 General Fund reduction to reflect the closure in July 2020 of 147 beds at La Vista Correctional Facility, which holds female inmates. The closure is the result of an expected lower population of inmates.

**FY 20-21 FUNDING ALREADY IN STATUTE FROM 5-YEAR SENTENCING BILLS:** The appropriation includes a decrease of \$380,688 General Fund to reflect amounts already appropriated to the Department in criminal sentencing bills with five-year statutory appropriations that were enacted in prior years.

**REDUCE REVERSIONS IN MULTIPLE PROGRAMS:** The appropriation reduces by \$295,000 General Fund appropriations that have not been fully utilized in recent years. These unused appropriations are part of larger appropriations that support transition offenders in community corrections, youthful offenders in Youthful Offender System Aftercare, and the Parole Board.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 La Vista staff increase	\$42,406	\$42,406	\$0	\$0	\$0	0.9
FY 19-20 Leap year adjustments	(263,058)	(263,058)	0	0	0	0.0
Prior Year Salary Survey	(6,425)	(6,424)	(1)	0	0	0.0
<b>TOTAL</b>	<b>(\$227,077)</b>	<b>(\$227,076)</b>	<b>(\$1)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.9</b>

**ANNUAL SB 15-211 DEPRECIATION-LEASE EQUIVALENT PAYMENTS:** The appropriation reduces the depreciation-lease equivalent payments required by S.B. 15-211 by \$89,413. This is the reduction required by existing statute.

**INDIRECT COST ADJUSTMENT:** The appropriation includes adjustments based on the Department's indirect cost assessment plan, as well as amounts available in the Indirect Cost Excess Recoveries Cash Fund for the Department.

**TEMPORARILY SUSPEND RESTORATIVE JUSTICE PROGRAM:** As a budget balancing measure, the appropriation temporarily suspends restorative justice meetings, which involve victim-offender dialogues that take place within the Department's facilities. The Department expects its facilities to be closed to outside visitors for an extended period. The adjustment reduces appropriations by \$75,000 General Fund.

**ELIMINATE UNUSED CASH FUND APPROPRIATIONS:** The appropriation eliminates \$12,947 cash funds including a \$10,000 appropriation for gifts, grants, and donations received by the Department's Offender Re-employment Center. This appropriation has been unused for years due to a lack of gifts, grants, and donations. The appropriation also eliminates a \$2,947 cash funds appropriation for personal services in the Housing and Security Subprogram that is unlikely to be used in the future due to a lack of cash fund revenue.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# DEPARTMENT OF EDUCATION

The elected members of the State Board of Education are responsible for the general supervision of public schools throughout Colorado. The Commissioner of Education, appointed by the State Board, advises the State Board concerning the operation and status of public schools and serves as the executive officer of the Department of Education. Among other tasks and responsibilities, the Department supports the Board in its duties by:

- Accrediting public schools and school districts;
- Developing and maintaining state model academic content standards and administering associated student assessments for certain subject areas and grade levels; and
- Issuing school performance reports for every public school in the state.

The Department also administers a number of education-related programs, including: educator licensure and professional development; the School Finance Act and the distribution of state and federal funds to school districts; special education for children with disabilities; English language proficiency programs; the Colorado Preschool Program; educator effectiveness and evaluation programs; and adult basic education programs.

The Department includes three independent agencies: (1) the Board of Trustees for the Colorado School for the Deaf and the Blind; (2) the State Charter School Institute Board, which is responsible for authorizing and monitoring the operations of institute charter schools located within certain school districts; and (3) the Public School Capital Construction Assistance Board, which is responsible for assessing public school capital construction needs statewide and making recommendations concerning the prioritization and allocation of state financial assistance for school construction projects.

In addition to its responsibilities related to public schools, statute charges the Department with promoting the improvement of library services statewide to ensure equal access to information, including providing library services to persons who reside in state-funded institutions and to persons who are blind or physically disabled.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund <sup>1</sup>	\$4,071,447,763	\$4,116,143,086	\$4,413,841,994	\$3,929,010,921
Cash Funds	737,188,510	1,146,052,221	1,111,463,635	1,047,522,606
Reappropriated Funds	34,930,424	39,385,509	42,577,029	39,999,728
Federal Funds	648,233,511	617,194,961	1,128,920,698	777,581,096
<b>TOTAL FUNDS</b>	<b>\$5,491,800,208</b>	<b>\$5,918,775,777</b>	<b>\$6,696,803,356</b>	<b>\$5,794,114,351</b>
Full Time Equiv. Staff	599.2	602.5	616.4	609.0

<sup>1</sup> Includes General Fund Exempt.

## GENERAL FACTORS DRIVING THE BUDGET

Although local government revenues provide a significant source of funding for K-12 education in Colorado (including an anticipated \$3.1 billion for school finance in FY 2020-21), local funds are not reflected in the State's annual appropriations to the Department of Education. Funding for this department for FY 2020-21 consists of 67.8 percent General Fund, 18.1 percent cash funds, 0.7 percent reappropriated funds, and 13.4 percent federal funds. The following sections review two primary factors driving the Department's budget: public school finance and categorical programs.

## PUBLIC SCHOOL FINANCE

Section 2 of Article IX of the Colorado Constitution requires the General Assembly to provide for the "establishment and maintenance of a thorough and uniform system of free public schools throughout the state." To comply with this provision, the General Assembly has established a statutory public school finance formula that takes into consideration the individual characteristics of each school district in order to provide thorough and uniform educational opportunities. The school finance formula allocates funds among school districts by calculating a per-pupil level of funding for each school district, as well as a specific state and local share of funding for each district.

The formula provides the same statewide base per-pupil funding amount for every school district (\$7,084 per pupil for FY 2020-21). The formula then increases this statewide base per-pupil funding amount for each district based on factors that affect districts' costs of providing educational services. Thus, per-pupil funding allocations vary for each district. For FY 2020-21, per-pupil funding allocations are anticipated to range from \$7,654 to \$19,071, with a statewide average of \$8,078 per pupil. Each district's per-pupil funding allocation is multiplied by its funded-pupil count to determine its total program funding. For FY 2020-21, pursuant to the formula, a total of \$7.2 billion in state and local funds will be allocated among school districts.

## CONSTITUTIONAL INFLATIONARY REQUIREMENT (AMENDMENT 23)

Pursuant to Section 17 of Article IX of the Colorado Constitution, the General Assembly is required to provide annual inflationary increases in the statewide base per-pupil funding amount. For FY 2001-02 through FY 2010-11, this amount was required to increase annually by at least inflation plus one percent; for FY 2011-12 and subsequent fiscal years, this amount must increase annually by at least the rate of inflation. For example, for FY 2020-21, the General Assembly was required to increase the statewide base per-pupil funding amount by at least \$132 (from \$6,952 to \$7,084, or 1.9 percent), based on the actual 1.9 percent increase in the Denver-Aurora-Lakewood consumer price index in calendar year 2019. Given an estimated funded-pupil count of approximately 896,000, the General Assembly was thus required to provide a minimum of \$6.3 billion in state and local funds for base per pupil funding in FY 2020-21, equal to 87.7 percent of the \$7.2 billion in total program funding.

## FACTORS CONSIDERED IN PUBLIC SCHOOL FINANCE FORMULA

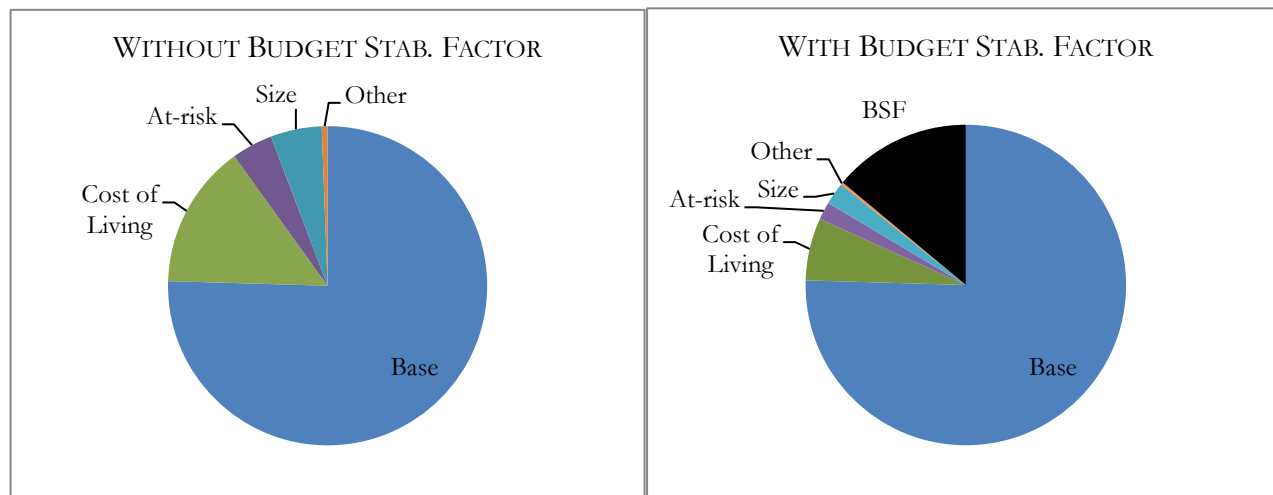
The remaining 12.3 percent of state and local funds that will be allocated among school districts in FY 2020-21 is driven by other factors in the statutory school finance formula that add varying amounts to the base per-pupil funding for each district to account for individual district characteristics. The formula includes three primary factors:

- Cost of Living Factor - Recognizes that the cost of living in a community affects the salaries required to attract and retain qualified personnel.
- Size Factor - Compensates districts lacking enrollment-based economies of scale.
- At-risk Factor - Provides additional funding for districts serving students who may be at risk of failing or dropping out of school. The formula utilizes a proxy to estimate the number of at-risk students: the number and concentration of students who are either eligible for free lunch under the federal school lunch program or English language learners.

In addition, the school finance formula requires a minimum level of per-pupil funding (\$7,665 per pupil for FY 2020-21), regardless of the impact of the above factors. For FY 2020-21, 14 districts are anticipated to receive funding based on this minimum level of per-pupil funding. The School Finance Act also provides a fixed amount of funding per pupil (established at \$7,341 for FY 2020-21) for two types of students:

- Students receiving full-time, on-line instruction through a multi-district program; and
- Students in their fifth year of high school who are participating in the Accelerating Students Through Concurrent Enrollment (ASCENT) Program.

Finally, since FY 2010-11 the formula has included a budget stabilization factor (previously known as the negative factor) designed to reduce districts' total program funding to a specified total amount. For FY 2020-21, this factor is estimated to be -14.0 percent, requiring a \$1.2 billion reduction in total program funding. Thus, the Department will calculate total program funding for each district based on the formula described above, and then reduce each district's total program funding by 14.0 percent. Because the General Assembly cannot decrease base per-pupil funding, the budget stabilization factor has the effect of reducing the funding attributed to the other formula factors, as illustrated in the following graphic.



## DETERMINING THE STATE AND LOCAL SHARES OF FUNDING

Once the total program funding amount is determined for each district, the state and local share of such funding is calculated for each district. Local property and specific ownership taxes provide the first source of revenue for each district's total program funding. Property taxes are based on each district's tax rate (the mill levy) and the portion of property value that is taxable (the assessment rate). Specific ownership taxes are paid when registering a motor vehicle. These local tax revenues are collected and expended by each school district, and thus are not reflected in the state budget. The FY 2020-21 appropriation anticipates a total of \$3.1 billion in local tax revenues will be available to support public schools pursuant to the statutory school finance formula (this amount does not include any mill levy override funds, as those amounts are outside of the school finance formula). State funding is appropriated to fill the gap between local tax revenues and total program funding. Thus, the General Assembly appropriated \$4.2 billion in state funding for FY 2020-21 to provide a total of \$7.2 billion for school district operations.

Two constitutional provisions, combined with a statutory provision in the School Finance Act of 1994, have limited property tax revenues available for public school operations:

- In 1982, voters approved a property tax reform measure that included a provision (generally called the "Gallagher amendment") which initially reduced the residential assessment rate from 30.0 percent to 21.0 percent, and capped the residential share of property taxes.
- In 1992, voters approved the Taxpayer's Bill of Rights (TABOR). Prior to TABOR, local governments could generally collect and spend the same amount of property tax revenue each year by periodically increasing or decreasing mill levies. With respect to school district property taxes, TABOR: (1) imposes a property tax revenue limit based on inflation and changes in student enrollment; (2) prohibits districts from increasing a mill levy without voter approval; and (3) requires voter approval for any increase in assessment rates.

As a result of the Gallagher amendment, the residential assessment rate has declined from 30.00 percent to 7.15 percent. Most recently, S.B. 19-255 (Gallagher Amendment Residential Assessment Rate) reduced the residential assessment rate from 7.20 percent to 7.15 percent beginning in FY 2019-20 to keep the residential share of property tax revenues at about 45.7 percent. Similarly, TABOR has reduced school district mill levies from the uniform mill of

40.080 (established by the General Assembly in 1988) to disparate mill levies that currently range from 1.680 to 27.000. These reductions, in combination with the inflationary spending increases required by Amendment 23, have caused the local share of total program funding to increase at a slower rate than overall funding, requiring the State's relative share of funding to increase. Specifically, from CY 1988 to FY 2006-07, the state share of funding rose from 43.4 percent to 63.9 percent, while the local share fell from 56.6 percent to 36.1 percent.

Senate Bill 07-199 (School Finance) changed the method for calculating school district property taxes, thereby allowing property tax revenues to increase at a rate more commensurate with overall funding. Due to the passage of S.B. 07-199 and increases in assessed valuation, the state share of funding (as a percentage of the total program) decreased in FY 2007-08 to 62.2 percent. Subsequently, due to declines in assessed valuation, the state share increased to 66.6 percent of total program funding in FY 2014-15. For FY 2019-20, the state share provided 60.9 percent of total program funding. With an increase in the budget stabilization factor and the associated reduction in the state share, the state share is projected to provide 57.8 percent of total program funding in FY 2020-21 after the application of the budget stabilization factor.

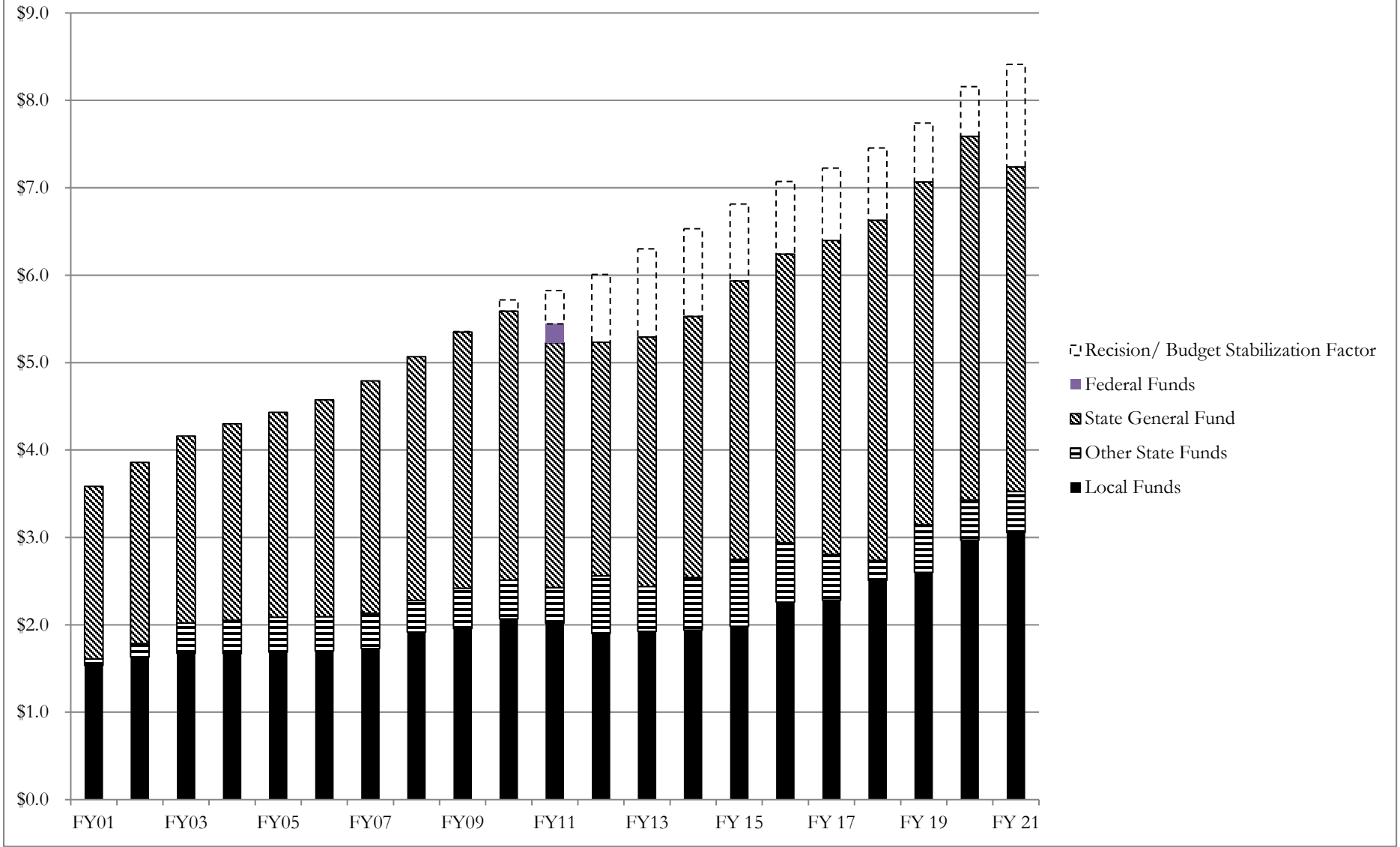
In summary, several factors affect the amount of state funding appropriated for public school finance, including:

- Pupil counts, including children attending state-supported preschool programs; students enrolled in full-time multi-district on-line programs; and students participating in the ASCENT program.
- The rate of inflation.
- Changes in the relative cost-of-living in various regions of the state.
- The number of at-risk students enrolled in public schools.
- Fluctuations in local property and specific ownership tax revenues, as well as constitutional and statutory provisions that limit property tax revenues.
- Changes in statutory definitions, procedures, or mathematical factors that impact the calculation of per-pupil funding or state aid for each district.

The graphic on the following page illustrates school districts' total program funding, by fund source, from FY 2000-01 through FY 2020-21. The stacked bar segments outlined with a dotted line illustrate the mid-year recisions required in FY 2008-09 and FY 2009-10 due to insufficient state appropriations, as well as the impact of the budget stabilization factor in subsequent fiscal years. The graphic is followed by key data related to school finance funding for the last four fiscal years, as well as appropriations for FY 2019-20 and FY 2020-21. Appropriations for FY 2019-20 and FY 2020-21 include the following major changes:

- Total program funding for FY 2019-20 included an increase of \$190.2 million (including \$182.9 million in state funding and \$7.3 million in local funding) associated with the transition to funding full-day kindergarten students as 1.0 student FTE as required by H.B. 19-1262 (State Funding for Full-day Kindergarten).
- Anticipated total program funding for FY 2020-21 is \$367.6 million below FY 2019-20. The appropriation assumes that local revenues will increase by \$77.4 million. However, total state funding is \$445.0 million below FY 2019-20 levels. The appropriation increases the budget stabilization factor by \$601.1 million, from \$572.4 million in FY 2019-20 to \$1.17 billion in FY 2020-21.

SCHOOL DISTRICTS' TOTAL PROGRAM FUNDING  
(\$ IN BILLIONS)





SCHOOL DISTRICTS' TOTAL PROGRAM FUNDING: KEY DATA							
DESCRIPTION	FY 2014-15 ACTUAL	FY 2015-16 ACTUAL	FY 2016-17 ACTUAL	FY 2017-18 ACTUAL	FY 2018-19 ACTUAL	FY 2019-20 APPROP. <sup>1</sup>	FY 2020-21 APPROP. <sup>1</sup>
<b>Funded Pupil Count</b>	<b>844,546</b>	<b>853,251</b>	<b>858,872</b>	<b>865,017</b>	<b>870,078</b>	<b>896,001</b>	<b>896,094</b>
<i>Annual Percent Change</i>	<i>1.7%</i>	<i>1.0%</i>	<i>0.7%</i>	<i>0.7%</i>	<i>0.6%</i>	<i>3.0%</i>	<i>0.0%</i>
<i>Change in Denver-Boulder Consumer Price Index for Previous Calendar Year</i>	<i>2.8%</i>	<i>2.8%</i>	<i>1.2%</i>	<i>2.8%</i>	<i>3.4%</i>	<i>2.7%</i>	<i>1.9%</i>
<b>Statewide <u>Base</u> Per Pupil Funding</b>	<b>\$6,121</b>	<b>\$6,292</b>	<b>\$6,368</b>	<b>\$6,546</b>	<b>\$6,769</b>	<b>\$6,952</b>	<b>\$7,084</b>
<i>Annual Percent Change</i>	<i>2.8%</i>	<i>2.8%</i>	<i>1.2%</i>	<i>2.8%</i>	<i>3.4%</i>	<i>2.7%</i>	<i>1.9%</i>
<b>Statewide <u>Average</u> Per Pupil Funding</b>	<b>\$7,026</b>	<b>\$7,313</b>	<b>\$7,420</b>	<b>\$7,662</b>	<b>\$8,123</b>	<b>\$8,489</b>	<b>\$8,078</b>
<i>Annual Percent Change</i>	<i>5.6%</i>	<i>4.1%</i>	<i>1.5%</i>	<i>3.3%</i>	<i>6.0%</i>	<i>4.5%</i>	<i>(4.8%)</i>
<b>Total Program Funding<sup>2</sup></b>	<b>\$5,933,444,389</b>	<b>\$6,239,564,775</b>	<b>\$6,372,827,460</b>	<b>\$6,627,917,199</b>	<b>\$7,067,290,190</b>	<b>\$7,605,978,828</b>	<b>\$7,238,343,519</b>
<i>Annual Percent Change</i>	<i>7.4%</i>	<i>5.2%</i>	<i>2.1%</i>	<i>4.0%</i>	<i>6.6%</i>	<i>7.6%</i>	<i>(4.8%)</i>
<b><u>Local Share</u> of Total Program Funding</b>	<b>\$1,982,831,906</b>	<b>\$2,259,785,802</b>	<b>\$2,257,704,955</b>	<b>\$2,506,844,504</b>	<b>\$2,598,750,917</b>	<b>\$2,977,176,606</b>	<b>\$3,054,550,789</b>
<i>Annual Percent Change</i>	<i>2.3%</i>	<i>14.0%</i>	<i>-0.1%</i>	<i>11.0%</i>	<i>3.7%</i>	<i>14.6%</i>	<i>2.6%</i>
<b><u>State Share</u> of Total Program Funding</b>	<b>\$3,950,612,483</b>	<b>\$3,979,778,973</b>	<b>\$4,115,122,505</b>	<b>\$4,121,072,695</b>	<b>\$4,468,539,273</b>	<b>\$4,628,802,222</b>	<b>\$4,183,792,730</b>
<i>Annual Percent Change</i>	<i>10.1%</i>	<i>0.7%</i>	<i>3.4%</i>	<i>0.1%</i>	<i>8.4%</i>	<i>3.6%</i>	<i>(9.6%)</i>
<i>State Share as Percent of Districts' Total Program Funding</i>	<i>66.6%</i>	<i>63.8%</i>	<i>64.6%</i>	<i>62.2%</i>	<i>63.2%</i>	<i>60.9%</i>	<i>57.8%</i>

<sup>1</sup> The FY 2019-20 appropriation includes an increase of 22,367.1 funded pupils and \$185.4 million state funds (in addition to \$7.3 million in local funds) associated with the implementation of full-day kindergarten under H.B. 19-1262.

<sup>2</sup> These figures reflect total program funding after application of the budget stabilization factor.

## CATEGORICAL PROGRAMS

Programs designed to serve particular groups of students (e.g., students with limited proficiency in English) or particular student needs (e.g., transportation) have traditionally been referred to as "categorical" programs. Unlike public school finance funding, there is no legal requirement that the General Assembly increase funding commensurate with the number of students eligible for any particular categorical program.

However, similar to total program funding discussed above, Section 17 of Article IX of the Colorado Constitution requires the General Assembly to increase total state funding for all categorical programs annually by at least the rate of inflation plus one percent for FY 2001-02 through FY 2010-11, and by at least the rate of inflation for subsequent fiscal years. For example, in calendar year 2019 the percentage change in the Denver-Aurora-Lakewood consumer price index was 1.9 percent, so the General Assembly was required to increase state funding for categorical programs by at least that amount (\$6,422,958) for FY 2020-21.

The General Assembly determines on an annual basis how to allocate the required increase among the various categorical programs. Since FY 2000-01, the General Assembly has increased annual state funding for categorical programs by \$202.3 million. In certain fiscal years, the General Assembly elected to increase state funding by more than the minimum, constitutionally-required amount, resulting in appropriations that are now \$92.8 million higher than the minimum amount that would have otherwise been required.

The following table details the allocation of the \$202.3 million increase since FY 2000-01 among categorical programs. For details concerning the allocation of the funding increase provided for FY 2020-21, please see the Assistance to Public Schools, Categorical Programs section of Part III of this department.

INCREASES IN STATE FUNDING FOR CATEGORICAL PROGRAMS SINCE FY 2000-01				
LONG BILL LINE ITEM	FY 2000-01 APPROPRIATION	FY 2020-21 APPROPRIATION	TOTAL INCREASE IN ANNUAL APPROPRIATION OF STATE FUNDS SINCE FY 2000-01	
Special education - children with disabilities	\$71,510,773	\$206,223,158	\$134,712,385	188.4%
English Language Proficiency Program	3,101,598	24,105,549	21,003,951	677.2%
Public school transportation	36,922,227	61,582,729	24,660,502	66.8%
Career and technical education programs	17,792,850	27,778,242	9,985,392	56.1%
Special education - gifted and talented children	5,500,000	12,844,494	7,344,494	133.5%
Expelled and at-risk student services grant program	5,788,807	9,493,560	3,704,753	64.0%
Small attendance center aid	948,140	1,314,250	366,110	38.6%
Comprehensive health education	600,000	1,131,396	531,396	88.6%
<b>Total</b>	<b>\$142,164,395</b>	<b>\$344,473,378</b>	<b>\$202,308,983</b>	<b>142.3%</b>

## APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

DEPARTMENT OF EDUCATION						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$5,851,129,906	\$4,190,124,616	\$999,232,465	\$42,327,029	\$619,445,796	605.4
SB 19-010	3,000,000	0	3,000,000	0	0	1.0
SB 19-059	250,000	250,000	0	0	0	0.3
SB 19-161	2,000	2,000	0	0	0	0.0
SB 19-176	1,544,916	44,916	1,500,000	0	0	0.8
SB 19-199	33,134,746	0	33,134,746	0	0	4.2
SB 19-204	493,097	493,097	0	0	0	0.4
SB 19-215	68,000	68,000	0	0	0	0.0
SB 19-216	129,563	129,563	0	0	0	0.3
SB 19-246	38,775,902	37,675,902	1,100,000	0	0	1.3
HB 19-1002	272,929	272,929	0	0	0	0.9

DEPARTMENT OF EDUCATION						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1017	43,114	0	43,114	0	0	0.4
HB 19-1055	80,656,559	0	80,656,559	0	0	0.0
HB 19-1110	19,816	19,816	0	0	0	0.0
HB 19-1120	116,550	116,550	0	0	0	0.9
HB 19-1132	168,942	168,942	0	0	0	0.3
HB 19-1134	106,196	106,196	0	0	0	0.0
HB 19-1171	463,729	463,729	0	0	0	0.0
HB 19-1187	250,000	250,000	0	0	0	0.0
HB 19-1192	37,495	0	37,495	0	0	0.0
HB 19-1236	1,012,201	1,012,201	0	0	0	0.2
HB 19-1262	173,972,108	173,972,108	0	0	0	0.0
HB 19-1332	250,000	0	0	250,000	0	0.0
HB 20-1244	0	525,098	0	0	(525,098)	0.0
HB 20-1260	9,046,331	9,046,331	0	0	0	0.0
HB 20-1360	(7,140,744)	(900,000)	(6,240,744)	0	0	0.0
HB 20-1418	509,000,000	0	(1,000,000)	0	510,000,000	0.0
<b>TOTAL</b>	<b>\$6,696,803,356</b>	<b>\$4,413,841,994</b>	<b>\$1,111,463,635</b>	<b>\$42,577,029</b>	<b>\$1,128,920,698</b>	<b>616.4</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$6,696,803,356	\$4,413,841,994	\$1,111,463,635	\$42,577,029	\$1,128,920,698	616.4
Total program increase	155,311,038	266,392,235	(111,081,197)	0	0	0.0
Categorical programs increase	6,422,958	0	6,422,958	0	0	0.0
Annualize prior year budget actions	939,178	(3,602,948)	6,042,126	(1,500,000)	0	0.2
Indirect cost assessments	560,364	0	63,422	0	496,942	0.0
Centrally appropriated items	420,322	(236,656)	285,569	285,341	86,068	0.0
Technical adjustments	296,414	0	527,583	(216,695)	(14,474)	(3.0)
Continue talking book library funds	200,000	0	0	200,000	0	0.0
CSDB utilities	59,542	59,542	0	0	0	0.0
Fund source adjustments	0	(424,938)	0	424,938	0	0.0
Annualize prior year legislation	(518,545,763)	(17,969,367)	9,544,241	(218,717)	(509,901,920)	(0.2)
Other budget balancing actions	(3,578,804)	(2,400,804)	(1,178,000)	0	0	(0.8)
Behavioral health professionals grants decrease	(3,000,000)	0	(3,000,000)	0	0	0.0
CSI mill levy equalization decrease	(2,800,000)	(1,400,000)	0	(1,400,000)	0	0.0
Eliminate National Board stipends	(2,103,256)	0	(2,103,256)	0	0	0.0
Bullying prevention reduction	(1,000,000)	0	(1,000,000)	0	0	0.0
Delay ninth grade success program	(800,000)	(800,000)	0	0	0	(0.6)
Workforce diploma pilot decrease	(800,000)	(800,000)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$6,328,385,349</b>	<b>\$4,652,659,058</b>	<b>\$1,015,987,081</b>	<b>\$40,151,896</b>	<b>\$619,587,314</b>	<b>612.0</b>
HB 20-1135	(667,680)	0	(667,680)	0	0	0.0
HB 20-1379	(1,220,885)	(870,498)	(198,219)	(152,168)	0	0.0
HB 20-1418	(532,382,433)	(722,777,639)	32,401,424	0	157,993,782	(3.0)
<b>TOTAL</b>	<b>\$5,794,114,351</b>	<b>\$3,929,010,921</b>	<b>\$1,047,522,606</b>	<b>\$39,999,728</b>	<b>\$777,581,096</b>	<b>609.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$902,689,005)</b>	<b>(\$484,831,073)</b>	<b>(\$63,941,029)</b>	<b>(\$2,577,301)</b>	<b>(\$351,339,602)</b>	<b>(7.4)</b>
Percentage Change	(13.5%)	(11.0%)	(5.8%)	(6.1%)	(31.1%)	(1.2%)

<sup>1</sup> Includes General Fund Exempt.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1244 modifies fund sources for PERA direct distribution payments, which help to address PERA's unfunded liability. The adjustment replaces federal funds determined to be uncollectible with General Fund appropriations.

House Bill 20-1260 provides an increase of \$9.0 million General Fund for distribution to public schools through the School Finance Act to account for higher-than-anticipated student counts. Combined with an increase in anticipated local funds (relative to the estimates in the original FY 2019-20 appropriation), the increase in state funds maintained

the budget stabilization factor at the dollar amount anticipated in the original FY 2019-20 appropriation (\$572.4 million).

House Bill 20-1360 includes the following adjustments:

- An increase of \$719,256 for the Stipends for National Board Certified Educators line item to align the appropriation with the number of eligible stipend recipients in FY 2019-20.
- A "net-zero" adjustment to move \$43,500 General Fund between line items in the Colorado School for the Deaf and the Blind to allow the school to purchase new reading curricula within its existing FY 2019-20 appropriation.
- A decrease of \$5.0 million cash funds from the State Education Fund to reflect anticipated reversions from the Statewide Assessment Program line item associated with the cancellation of statewide assessments in FY 2019-20. This is a budget balancing action.
- A decrease of \$1.96 million cash funds from the State Education Fund for the Quality Teacher Recruitment Program. This is a budget balancing action.
- A decrease of \$900,000 General Fund to reflect anticipated reversions from the following items: Career Counseling Professional Development (\$500,000); the John. W. Buckner Automatic Enrollment in Advanced Courses Grant Program created in S.B. 19-059 (\$200,000); and the School Leadership Pilot Program created in H.B. 19-1002 (\$200,000). These are budget balancing actions.
- An adjustment to the portion of General Fund appropriations from the General Fund Exempt account.

House Bill 20-1418 includes the following adjustments:

- An increase of \$510.0 million federal funds from the Coronavirus Relief Fund for distribution to local education providers. These funds are reflected for informational purposes only.
- A decrease of \$1.0 million cash funds from the State Education Fund for the Quality Teacher Recruitment Program for budget balancing purposes. This is a budget balancing action.

**SUMMARY OF FY 2019-20 MID-YEAR BUDGET BALANCING APPROPRIATIONS:** The FY 2019-20 mid-year appropriation adjustments in this table include a reduction of \$8,960,000 total funds, comprised of reductions of \$900,000 General Fund and \$7,960,000 cash funds, for budget balancing purposes, including both HB 20-1360 and HB 20-1418.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**SUMMARY OF FY 2020-21 BUDGET BALANCING APPROPRIATIONS:** The FY 2020-21 appropriation adjustments in this table include a reduction of \$14,082,060 total funds, comprised of reductions of \$5,400,804 General Fund, \$7,281,256 cash funds, and \$1,400,000 reappropriated funds, and 1.4 FTE for budget balancing purposes. These actions are described below.

**TOTAL PROGRAM INCREASE:** The Long Bill appropriation includes an increase of \$155.3 million total funds (an increase of \$303.4 million General Fund that is partially offset by a decrease in cash funds) for the State Share of Districts' Total Program Funding.

**CATEGORICAL PROGRAMS INCREASE:** The appropriation includes an increase of \$6.4 million cash funds from the State Education Fund in order to increase total *state* spending on categorical programs by 1.9 percent, based on the rate of inflation from CY 2019. The State Constitution requires the General Assembly to increase *total state funding* for all categorical programs (in aggregate) by at least the rate of inflation in FY 2020-21. The following table shows the allocation of the recommended increase among five categorical programs.

# INFLATIONARY INCREASE IN *STATE* FUNDING FOR CATEGORICAL PROGRAMS FOR FY 2020-21

LONG BILL LINE ITEM	FY 2019-20 APPROPRIATION OF STATE FUNDS	ALLOCATION OF FY 2020-21 INCREASES IN STATE FUNDS		FY 2020-21 LONG BILL APPROPRIATION OF STATE FUNDS
			%	
		\$ CHANGE	CHANGE	
DISTRICT PROGRAMS REQUIRED BY STATUTE				
Special education programs for children with disabilities	\$202,700,611	\$3,522,547	1.7%	\$206,223,158
English language proficiency programs	22,994,436	1,111,113	4.8%	24,105,549
OTHER CATEGORICAL PROGRAMS				
Public school transportation	60,480,645	1,102,084	1.8%	61,582,729
Career and technical education	27,238,323	539,919	2.0%	27,778,242
Special education programs for gifted and talented children	12,697,199	147,295	1.2%	12,844,494
Expelled and at-risk student services grant program	9,493,560	0	0.0%	9,493,560
Small attendance center aid	1,314,250	0	0.0%	1,314,250
Comprehensive health education	1,131,396	0	0.0%	1,131,396
Totals	\$338,050,420	\$6,422,958	1.9%	\$344,473,378

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize Long Bill supplemental	\$5,900,000	\$900,000	\$5,000,000	\$0	\$0	0.0
FY 19-20 R4 Funding for school turnaround	117,194	117,194	0	0	0	0.0
FY 19-20 R3 Schools of choice	19,505	19,505	0	0	0	0.2
FY 19-20 R9 ELC educator talent priorities	(3,000,000)	(3,000,000)	1,500,000	(1,500,000)	0	0.0
FY 2019-20 R8 ELC career development priorities	(1,500,000)	(1,500,000)	0	0	0	0.0
FY 19-20 R5 CPP tax checkoff	(425,000)	0	(425,000)	0	0	0.0
FY 2019-20 Salary survey	(122,521)	(89,647)	(32,874)	0	0	0.0
Educator perception	(50,000)	(50,000)	0	0	0	0.0
<b>TOTAL</b>	<b>\$939,178</b>	<b>(\$3,602,948)</b>	<b>\$6,042,126</b>	<b>(\$1,500,000)</b>	<b>\$0</b>	<b>0.2</b>

**INDIRECT COST ASSESSMENTS:** The appropriation includes a net increase in indirect cost assessments in several divisions.

**CENTRALLY APPROPRIATED ITEMS:** The appropriation includes the following adjustments to centrally appropriated line items. The appropriation includes a Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction for budget balancing purposes.

CENTRALLY APPROPRIATED ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Legal services	\$273,890	\$158,320	\$108,542	\$7,028	\$0	\$0
Payments to OIT	254,992	111,162	37,969	105,861	0	0.0
Leased space adjustment	160,160	36,162	(4,343)	12,383	115,958	0.0
AED	59,850	28,299	22,925	24,368	(15,742)	0.0
SAED	59,850	28,299	22,925	24,368	(15,742)	0.0
CORE operations	81,078	21,098	90,095	(30,115)	0	0.0
Capitol Complex leased space	53,775	16,133	6,442	10,459	20,741	0.0
Short-term disability	2,154	1,015	793	838	(492)	0.0
Vehicle lease payments	2,529	2,529	0	0	0	0.0
Health, life, and dental	(214,261)	(486,264)	95,604	153,159	23,240	0.0
Workers' compensation	(117,928)	(52,675)	(15,389)	(7,969)	(41,895)	0.0
Administrative law judge services	(92,183)	0	(76,272)	(15,911)	0	0.0

CENTRALLY APPROPRIATED ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
PERA Direct Distribution	(67,796)	(64,946)	(3,722)	872	0	0.0
Payment to risk management/property funds	(31,787)	(31,787)	0	0	0	0.0
Shift differential	(4,001)	(4,001)	0	0	0	0.0
<b>TOTAL</b>	<b>\$420,322</b>	<b>(\$236,656)</b>	<b>\$285,569</b>	<b>\$285,341</b>	<b>\$86,068</b>	<b>0.0</b>

**TECHNICAL ADJUSTMENTS:** The appropriation includes several technical adjustments, including most significantly:

- An increase of \$783,589 cash funds from the State Education Fund to align appropriations for Facility School Funding with the statutory formula and with projected pupil counts for FY 2020-21.
- A transfer of \$10.0 million federal funds and 4.0 FTE from the Assistance to Public Schools section to the Schools of Choice line item in the Management and Administration section to consolidate funds directly related to charter schools and the Schools of Choice Office within the Schools of Choice line item.
- Elimination of an appropriation of \$240,000 cash funds from the State Education Fund previously appropriated to the Department of Education and then transferred to the Department of Higher Education to support rural teacher recruitment, retention, and professional development activities. The FY 2020-21 appropriation includes a direct appropriation of \$240,000 General Fund to the Department of Higher Education rather than the appropriation to the Department of Education and subsequent transfer to Higher Education.

**CONTINUE TALKING BOOK LIBRARY FUNDS:** The appropriation includes \$200,000 reappropriated funds, originating in the Colorado Telephone Users with Disabilities Fund in the Department of Regulatory Agencies, for the Colorado Talking Book Library.

**CSDB UTILITIES:** The appropriation includes an increase of \$59,452 General Fund to accommodate projected increases in utility costs at the Colorado School for the Deaf and the Blind (CSDB) in FY 2020-21.

**FUND SOURCE ADJUSTMENTS:** The appropriation includes a net increase in reappropriated funds offset by a decrease in General Fund, primarily driven by an increase in the amount of indirect cost recoveries applied to reduce the use of General Fund.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1262 Full-day kindergarten	\$9,841,065	\$9,841,065	\$0	\$0	\$0	0.0
HB 19-1055 Public School Capital Construction Financial Assistance	8,164,203	0	8,164,203	0	0	0.0
HB 19-1017 K5 Social and Emotional Health	2,456,886	0	2,456,886	0	0	0.6
HB 19-1132 School Incentives to Use Colorado Food and Produce	506,313	506,313	0	0	0	0.1
HB 19-1002 Leadership professional development for school principals	478,686	478,686	0	0	0	0.1
HB 19-1277 Computer science grant program	250,000	250,000	0	0	0	0.0
SB 18-200 PERA	244,852	80,346	35,143	31,283	98,080	0.0
SB 19-199 READ Act implementation	73,506	62,393	11,113	0	0	0.3
HB 19-1171 Expand Child Nutrition School Lunch Protection	14,376	14,376	0	0	0	0.0
SB 19-204 Public school local accountability systems	1,170	1,170	0	0	0	0.1

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1236 Workforce diploma pilot program	21	21	0	0	0	0.0
HB 18-1306 Improving educational stability for foster youth	0	0	0	0	0	0.0
HB 20-1418 School finance	(510,000,000)	0	0	0	(510,000,000)	0.0
SB 19-246 School finance	(21,100,000)	(20,000,000)	(1,100,000)	0	0	(0.7)
HB 20-1260 Mid-year School Finance	(9,046,331)	(9,046,331)	0	0	0	0.0
HB 19-1332 Disabled telephone users fund CTBL	(250,000)	0	0	(250,000)	0	0.0
HB 19-1120 Youth mental health education and suicide prevention	(69,842)	(69,842)	0	0	0	(0.3)
HB 18-1019 K12 accreditation weighted factors	(52,500)	(52,500)	0	0	0	0.0
SB 19-176 Expanding concurrent enrollment	(35,884)	(12,780)	(23,104)	0	0	(0.4)
HB 19-1110 Media literacy	(19,816)	(19,816)	0	0	0	0.0
SB 19-216 High school innovative learning pilot	(2,468)	(2,468)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$518,545,763)</b>	<b>(\$17,969,367)</b>	<b>\$9,544,241</b>	<b>(\$218,717)</b>	<b>(\$509,901,920)</b>	<b>(0.2)</b>

**OTHER BUDGET BALANCING ACTIONS:** The appropriation includes a reduction of \$3,578,804 total funds, including \$2,400,804 General Fund, as a result of other budget balancing actions.

OTHER BUDGET BALANCING ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Eliminate ELL excellence awards	(\$500,000)	\$0	(\$500,000)	\$0	\$0	0.0
Reduce computer science education grants	(500,000)	0	(500,000)	0	0	0.0
Reduce career development success program	(500,000)	(500,000)	0	0	0	0.0
Reduce state grants to libraries program	(500,000)	(500,000)	0	0	0	0.0
Eliminate local accountability grants	(494,267)	(494,267)	0	0	0	(0.5)
Reduce school leadership pilot	(375,807)	(375,807)	0	0	0	0.0
Reduce AP exam fees grants	(280,730)	(280,730)	0	0	0	0.0
Delay automatic enrollment in advanced courses grants	(250,000)	(250,000)	0	0	0	(0.3)
Reduce financial transparency system maintenance	(138,000)	0	(138,000)	0	0	0.0
Quality teacher recruitment adjustment	(40,000)	0	(40,000)	0	0	0.0
<b>TOTAL</b>	<b>(\$3,578,804)</b>	<b>(\$2,400,804)</b>	<b>(\$1,178,000)</b>	<b>\$0</b>	<b>\$0</b>	<b>(0.8)</b>

**BEHAVIORAL HEALTH PROFESSIONALS GRANTS DECREASE:** The appropriation includes a decrease of \$3.0 million cash funds from the Marijuana Tax Cash Fund (20.0 percent) below the FY 2019-20 appropriation for the Behavioral Health Care Professionals Matching Grant Program. This is a budget balancing action.

**CSI MILL LEVY EQUALIZATION DECREASE:** The appropriation includes a decrease of \$2.8 million total funds, including \$1.4 million General Fund and \$1.4 million reappropriated funds, for State Charter School Institute (CSI) mill levy equalization. The decrease represents a reduction of 20.0 percent below the FY 2019-20 appropriation. This is a budget balancing action.

**ELIMINATE NATIONAL BOARD STIPENDS:** The appropriation includes a decrease of \$2.1 million cash funds from the State Education Fund to eliminate the Stipends for National Board Certified Educators line item for FY 2020-21. This is a budget balancing action.

**BULLYING PREVENTION REDUCTION:** The appropriation includes a decrease of \$1.0 million cash funds from the Marijuana Tax Cash Fund for the School Bullying Prevention Fund line item, a 50.0 percent reduction below the FY 2019-20 appropriation. This is a budget balancing action.

**DELAY NINTH GRADE SUCCESS PROGRAM:** The appropriation includes a decrease of \$800,000 General Fund and 0.6 FTE to delay the implementation of the Ninth Grade Success Program created in S.B. 19-246 (School Finance). This is a budget balancing action.

**WORKFORCE DIPLOMA PILOT DECREASE:** The appropriation includes a decrease of \$800,000 General Fund (79.0 percent) for the Workforce Diploma Pilot Program created in H.B. 19-1236 (Workforce Diploma Pilot Program). This is a budget balancing action.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

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# GOVERNOR – LIEUTENANT GOVERNOR – STATE PLANNING AND BUDGETING

The Department is comprised of the Office of the Governor, the Office of the Lieutenant Governor, the Office of State Planning and Budgeting, Economic Development Programs, and the Office of Information Technology.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund <sup>1</sup>	\$35,324,665	\$42,508,950	\$73,898,493	\$52,762,694
Cash Funds	47,400,500	47,889,843	51,577,746	25,289,951
Reappropriated Funds	245,351,971	256,873,308	293,687,073	290,822,049
Federal Funds	6,455,720	6,767,275	6,852,287	6,573,817
<b>TOTAL FUNDS</b>	<b>\$334,532,856</b>	<b>\$354,039,376</b>	<b>\$426,015,599</b>	<b>\$375,448,511</b>
Full Time Equiv. Staff	1,091.2	1,102.8	1,161.7	1,178.9

<sup>1</sup> Includes appropriations from the CARE subfund in the General Fund for FY 2019-20.

## GENERAL FACTORS DRIVING THE BUDGET

Funding for this department consists of 14.1 percent General Fund, 6.7 percent cash funds, 77.5 percent reappropriated funds, and 1.8 percent federal funds. Some of the major factors driving the Department's budget are discussed below.

### OFFICE OF THE GOVERNOR (DIVISION)

#### CENTRALLY APPROPRIATED LINE ITEMS

The budget for the Office of the Governor (division) is driven in part by the centrally appropriated line items, such as health, life, and dental insurance coverage, short-term disability payments, and payments to the Public Employees Retirement Association (PERA). These appropriations support 152.1 FTE within several agencies of the department but do not support staff in the Governor's Office of Information Technology. The amount of funding provided is determined by common policies adopted by the General Assembly.

#### SPECIAL INITIATIVES

Beginning in FY 2018-19, the Office received an increase of \$100,000 General Fund to support the administrative functions of the Education Leadership Council. This multi-stakeholder council, created through an Executive Order in June 2017 by the Governor, is tasked with creating a blueprint for the state's educational system, from early childhood through the participation in the workforce. While previously housed in the Lieutenant Governor's Office, a new Executive Order issued in March 2020 by the Governor moved the program to the Governor's Office (division).

#### COLORADO ENERGY OFFICE

House Bill 12-1315 (Reorganization Of Governor's Energy Office) changed the statutory mission of the Colorado Energy Office (CEO) from promoting renewable energy and energy efficiency to encouraging all sources of energy development and funded the Office's operations with transfers into cash funds from the General Fund and severance tax revenue. For five consecutive fiscal years (FY 2012-13 through FY 2016-17), H.B. 12-1315 mandated that CEO receive an annual transfer of \$1.6 million General Fund and \$1.5 million from severance tax revenue to support its statutorily-obligated programming. The final transfers of these funds occurred on July 1, 2016. The General Assembly did not reauthorize these transfers for FY 2017-18. In the absence of state funding, CEO worked

with its federal partners at the U.S. Department of Energy to repurpose \$3.1 million from a federal grant to cover the costs of the Office for FY 2017-18. Beginning in FY 2018-19, the Office was appropriated General Fund to fund a portion of its operations. The General Fund appropriation for FY 2020-21 is \$3.3 million.

In addition to General Fund, the Office also receives transfers of severance tax revenue into two funds: the Weatherization Low-Income Energy Assistance Fund and the Energy Outreach Low-Income Energy Assistance Fund. The Weatherization Low-Income Energy Assistance Fund receives an annual transfer of up to \$6,500,000 for energy efficiency services for low-income households. The Energy Outreach Low-Income Energy Assistance Fund receives an annual transfer of up to \$3,250,000, which is passed through to Energy Outreach Colorado to provide utility bill payment assistance for low-income households. These transfers fluctuate based on the total amount of severance taxes collected by the state.

## OFFICE OF THE LIEUTENANT GOVERNOR

Nearly 100.0 percent of the funding for the Office of the Lieutenant Governor in FY 2020-21 was from the General Fund. Some recent changes to the Lieutenant Governor's Office include:

- For FY 2017-18, the Office received an increase of \$67,090 General Fund for the Commission of Indian Affairs to lead an initiative to coordinate health care issues between Medicaid providers, the federal Indian Health Services (IHS) agency, and tribal governments. In cooperation with the Departments of Health Care Policy and Financing and Human Services, the goal of the initiative is to reduce travel time for Native Americans seeking affordable care at an IHS facility and to improve coordination of care between IHS facilities and outside providers.
- For FY 2018-19, the Office received an increase of \$100,000 General Fund for Serve Colorado (the Governor's Commission on Community Service) to support building a culture of civic engagement in the state by working in partnership with community-based organizations. This initiative was authorized in statute by the Joint Budget Committee-sponsored H.B. 18-1324 (Codify Governor's Commission On Community Service).
- For FY 2018-19, the Office received an increase of \$90,000 General Fund to add a Program Assistant position to support the Commission of Indian Affairs' Executive Director and to provide additional funding for existing services and programs that the Commission delivers to fulfill its statutory obligations.
- For FY 2019-20, the Office received an increase of \$75,000 General Fund and 1.3 FTE to fully fund the four positions in the Office of the Lieutenant Governor. The Office is staffed by the following: Lieutenant Governor, Chief of Staff, Deputy Chief of Staff, and Executive Assistant.

## OFFICE OF STATE PLANNING AND BUDGETING (OSPB)

Base funding for the Office of State Planning and Budgeting has remained relatively constant in recent fiscal years at a level of approximately \$1.5 million reappropriated funds transferred to the agency from the collection of statewide indirect costs in other departments. Additionally, the General Assembly has provided funding to the Office for a variety of special projects in recent years, increasing General Fund appropriations gradually from zero in FY 2011-12 to \$0.6 million for FY 2019-20. These projects have included a prison utilization study, the implementation of a continuous incremental process improvement program known as LEAN, and the implementation of a cost-benefit analysis tool known as Results First.

Beginning in FY 2017-18, the Office received an appropriation of \$500,000 cash funds from the Marijuana Tax Cash Fund to fund a grant program for state agencies to embark on projects to evaluate and/or assist in the implementation of programs funded from the Marijuana Tax Cash Fund. Program evaluations assist the General Assembly in determining if investments of state resources are improving outcomes.

## ECONOMIC DEVELOPMENT PROGRAMS

Funding for the Office of Economic Development and International Trade (OEDIT) is primarily from the General Fund (63.6 percent in FY 2020-21) and cash funds (30.3 percent in FY 2020-21). General Fund is appropriated to the Office for general administration and program support, tourism promotion, financial incentives, film incentives, and job training grants.

Much of the Office's cash fund appropriations, 65.6 percent for FY 2019-20, originated as limited gaming tax revenue, but the global pandemic caused by COVID-19 caused expected revenues for FY 2020-21 to decline drastically. As part of the budget balancing actions taken by the General Assembly, transfers from gaming were suspended for two years. Please see the bill description for H.B. 20-1399 in Appendix A for more detailed information on changes that affect OEDIT.

Additionally, cash fund revenue is appropriated to the Office from the Advanced Industries Acceleration Cash Fund. Beginning in FY 2013-14 and running through FY 2023-24, S.B. 11-047 (Bioscience & Clean Tech Reinvestment) redirects 50.0 percent of the growth of the total amount of state income taxes deducted and withheld from employees' wages who work in specific Colorado businesses to the Advanced Industries Acceleration Cash Fund instead of the General Fund.

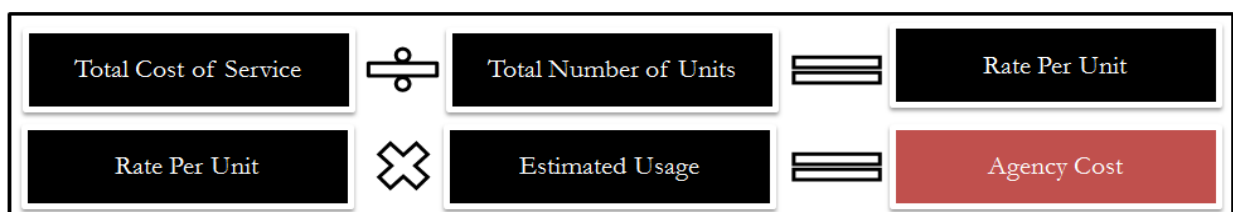
It is important to note that OEDIT is also responsible for implementing several other programs that impact the amount of General Fund revenue available for appropriations each year, including the Enterprise Zone Program, the Job Growth Incentive Tax Credit Program, and the Regional Tourism Act.

## OFFICE OF INFORMATION TECHNOLOGY

Over 80.0 percent of total appropriations for the Governor - Lieutenant Governor - State Planning and Budgeting is for the Office of Information Technology. During the last economic downturn, the General Assembly directed the Office of Information Technology to reduce and eliminate redundancies between agency staff and those supporting statewide IT. As a result, information technology employees in state agencies were transferred to OIT between July 1, 2008 and July 1, 2012. The largest transfer of employees occurred during FY 2010-11 when 680.7 FTE and \$57.7 million were transferred from state agencies to OIT.

Pursuant to the centralization initiative, OIT provides services to state agencies on a cost reimbursement basis, with OIT acting as a vendor. Each service offered by OIT to state agencies has a mixture of costs associated with its delivery (*e.g.*, personal services and operating expenses). The appropriations needed to support these costs for each service offered by OIT are determined by the Joint Budget Committee during the figure setting process. The appropriations appear in the Long Bill in the OIT division as reappropriated funds (spending authority for moneys transferred to OIT from other state agencies). The revenue needed to support OIT's spending authority is derived from direct appropriations made to state agencies each year in a "Payments to OIT" line item that appears in the Long Bill for each agency. These appropriations are made from the General Fund, cash funds, and federal funds.

The cost to each agency for services provided by OIT is based on a service-by-service rate structure whereby the total cost for OIT to provide the service across the state is divided by the total number of units of that service. This calculation generates a rate per unit. The cost to each agency is based on its anticipated consumption of a service's unit of measurement multiplied times the established rate. OIT bills each agency on a monthly basis for 1/12<sup>th</sup> of the full amount of the agency's appropriation in its Payments to OIT line item.



This structure helps ensure that appropriations of reappropriated funds to OIT will actually be available but reduces the flexibility for state agencies to adjust their spending based on contemporaneous observations. The General Assembly has provided additional appropriations in recent fiscal years for a variety of services. These changes have increased the amount appropriated to state agencies for the information technology common policy.

- For FY 2018-19, the Office received an increase of \$5,228,160 reappropriated funds transferred from state agencies to transition from a non-consolidated licensing approach for operating system and Microsoft Office applications to a centralized approach managed by the Office for all state agencies. A portion of the total funds needed for this item were offset by reductions across nearly all agencies from operating line items that historically funded operating system and Microsoft Office licenses.
- For FY 2019-20, the Office received an increase of \$11,857,490 reappropriated funds transferred from state agencies for several initiatives related to the state’s cybersecurity program known as “Secure Colorado.”

Outside of OIT’s collection of recoverable costs associated with the information technology common policy, expenses for the operation of the Colorado Benefits Management System (CBMS) are billed directly to the Department of Human Services and Department of Health Care Policy and Financing. CBMS is the information technology system used to determine a citizen's eligibility for public assistance programs like Medicaid, the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Old Age Pension (OAP), and many others. The following table highlights appropriations made to OIT for CBMS over the past seven fiscal years.

APPROPRIATIONS TO OIT FOR CBMS (REAPPROPRIATED FUNDS)						
FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
\$64,996,580	\$30,529,339	\$53,026,031	\$60,743,224	\$61,868,613	\$66,653,122	\$65,876,551

# APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

GOVERNOR - LIEUTENANT GOVERNOR - STATE PLANNING AND BUDGETING						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$392,560,806	\$43,065,857	\$51,422,681	\$291,174,828	\$6,897,440	1,152.7
SB 19-006	10,000,000	9,183,000	0	817,000	0	0.0
SB 19-073	750,000	0	0	750,000	0	0.0
SB 19-143	25,200	0	0	25,200	0	0.0
SB 19-165	5,936	0	0	5,936	0	0.0
SB 19-178	60,204	0	0	60,204	0	0.0
SB 19-223	454,539	0	0	454,539	0	0.9
SB 19-235	136,240	0	0	136,240	0	0.0
SB 19-251	775,000	775,000	0	0	0	2.0
SB 19-256	16,590	0	0	16,590	0	0.0
HB 19-1009	2,620	0	0	2,620	0	0.0
HB 19-1127	74,537	74,537	0	0	0	0.0
HB 19-1287	160,206	0	0	160,206	0	1.4
HB 19-1309	130,065	0	130,065	0	0	0.0
SB 20-222	20,000,000	20,000,000	0	0	0	0.0
HB 20-1245	863,656	800,099	25,000	83,710	(45,153)	4.7
<b>TOTAL</b>	<b>\$426,015,599</b>	<b>\$73,898,493</b>	<b>\$51,577,746</b>	<b>\$293,687,073</b>	<b>\$6,852,287</b>	<b>1,161.7</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$426,015,599	\$73,898,493	\$51,577,746	\$293,687,073	\$6,852,287	1,161.7
DHS JAI operations and maintenance	4,168,851	0	0	4,168,851	0	0.0
Centrally appropriated line items	2,583,274	589,174	(431,179)	2,746,752	(321,473)	0.0
IT service and support management	1,250,000	0	0	1,250,000	0	0.0
Colorado Digital Services	1,240,560	0	0	1,240,560	0	7.0
Improve network stability and connectivity	1,130,900	0	0	1,130,900	0	0.0
DHS Replace phone systems	689,371	0	0	689,371	0	0.0
Customer-focused tools for common policy	679,188	0	0	679,188	0	0.0
Disaster recovery staff	349,657	0	0	349,657	0	2.0
Statewide data sharing pilot	279,075	0	0	279,075	0	2.0
NAT OGCC e-filing system	147,840	0	0	147,840	0	0.0
Fund source adjustment	98,472	0	(1,436)	99,908	0	0.0
COR DeCORuM operating costs	76,528	0	0	76,528	0	0.0
Indirect cost adjustment	39,404	37,763	1,641	0	0	0.0
Continue mansion maintenance appropriation	25,000	0	25,000	0	0	0.0
Creative district interest spending authority	10,786	0	10,786	0	0	0.0
Move education leadership funds	0	0	0	0	0	0.0
Add Outdoor Recreation Office line item	0	0	0	0	0	3.0
Annualize prior year legislation	(24,099,221)	(23,018,526)	212,687	(1,293,382)	0	(1.0)
Annualize prior year budget action	(9,305,971)	(855,686)	(245,000)	(8,250,438)	45,153	6.3
OIT Budget efficiencies	(5,592,367)	(67,098)	(1,231,938)	(4,293,331)	0	(3.0)
Reduce Technology Advancement and Emergency fund	(3,200,000)	0	(3,200,000)	0	0	0.0
Eliminate funds no longer necessary to implement E-tax simplification	(2,302,448)	(2,302,448)	0	0	0	0.0
Suspend GF for Colorado Tourism Office promotion	(2,000,000)	(2,000,000)	0	0	0	0.0
Tourism Office reductions	(1,945,976)	(1,945,976)	0	0	0	0.0
Suspend GF for Colorado Film Office	(500,000)	(500,000)	0	0	0	0.0
Suspend GF for Destination Development program	(500,000)	(500,000)	0	0	0	0.0
PTAC technical	(220,000)	(220,000)	0	0	0	0.0
Administrative funds technical	(4,585)	0	(2,435)	0	(2,150)	0.0
<b>HB 20-1360</b>	<b>389,113,937</b>	<b>43,115,696</b>	<b>46,715,872</b>	<b>292,708,552</b>	<b>6,573,817</b>	<b>1,178.0</b>

GOVERNOR - LIEUTENANT GOVERNOR - STATE PLANNING AND BUDGETING						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 20-003	(1,000,000)	(1,000,000)	0	0	0	0.0
SB 20-028	(74,620)	(74,620)	0	0	0	0.0
SB 20-162	242,250	0	0	242,250	0	0.0
SB 20-163	10,022	0	0	10,022	0	0.0
SB 20-200	(1,197,552)	(1,197,552)	0	0	0	0.0
HB 20-1153	112,931	0	112,931	0	0	0.9
HB 20-1379	(2,427,624)	(230,830)	(58,019)	(2,138,775)	0	0.0
HB 20-1399	(9,330,833)	12,150,000	(21,480,833)	0	0	0.0
<b>TOTAL</b>	<b>\$375,448,511</b>	<b>\$52,762,694</b>	<b>\$25,289,951</b>	<b>\$290,822,049</b>	<b>\$6,573,817</b>	<b>1,178.9</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$50,567,088)</b>	<b>(\$21,135,799)</b>	<b>(\$26,287,795)</b>	<b>(\$2,865,024)</b>	<b>(\$278,470)</b>	<b>17.2</b>
Percentage Change	(11.9%)	(28.6%)	(51.0%)	(1.0%)	(4.1%)	1.5%

<sup>1</sup> Includes appropriations from the CARE subfund in the General Fund for FY 2019-20.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1245 modifies FY 2019-20 appropriations to:

- Add \$754,946 General Fund for the Colorado Digital Services program to provide a pipeline of top technology talent focused on solving problems and building information technology systems for state employees and the public;
- Add \$83,710 reappropriated funds transferred from the Oil and Gas Conservation Commission in the Department of Natural Resources to develop an electronic filing system to manage hearing applications;
- Adjust the footnote on the appropriation for the Colorado Benefits Management System to address delays in information technology projects, which extends the period spending authority was granted through FY 2020-21;
- Add \$25,000 cash funds from the Governor's Mansion Maintenance Fund for routine and other maintenance around the grounds of the Governor's Residence and Carriage House. Created by S.B. 18-208 (Mansion Maintenance Fund), the first transfer into the fund occurred in August 2019 and the current balance is \$39,712. Funds transferred originate as fees paid to the Governor's Office for rental activities that exceed the operational costs for the previous fiscal year; and
- Modify fund sources for PERA direct distribution payments, which help to address PERA's unfunded liability. The bill replaces federal funds determined to be uncollectible with General Fund appropriations.

Senate Bill 20-222 modifies FY 2019-20 appropriations to add \$20,000,000 from the CARE subfund in the General Fund to the Office of Economic Development and International Trade for grants administered in conjunction with Colorado Housing and Finance Authority to operate the Small Business COVID-19 grant program.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**SUMMARY OF FY 2020-21 BUDGET BALANCING APPROPRIATIONS:** The FY 2020-21 appropriation adjustments in this table include a reduction of \$8,145,976 total funds, comprised of reductions of \$6,186,536 General Fund and \$3,200,000 cash funds, and an increase of \$ 1,240,560 reappropriated funds for budget balancing purposes. These actions are described individually below. This total excludes budget reductions in additional legislation and in central appropriations, with the exception of the Health, Life, and Dental adjustment that was made as an alternative to a personal services base reduction.

FY 2020-21 BUDGET BALANCING ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Fund CO Digital Services through common policy and not General Fund	0	(1,240,560)	0	1,240,560	0	0.0

FY 2020-21 BUDGET BALANCING ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Eliminate spending authority for Technology Advancement and Emergency Fund due to fund repeal	(3,200,000)	0	(3,200,000)	0	0	0.0
Suspend GF for Colorado Tourism Office promotion	(2,000,000)	(2,000,000)	0	0	0	0.0
Travel and Tourism program reductions proposed by OEDIT	(1,945,976)	(1,945,976)	0	0	0	0.0
Suspend GF for Colorado Film Office	(500,000)	(500,000)	0	0	0	0.0
Suspend GF for Destination Development program	(500,000)	(500,000)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$8,145,976)</b>	<b>(\$6,186,536)</b>	<b>(\$3,200,000)</b>	<b>\$1,240,560</b>	<b>\$0</b>	<b>0.0</b>

**DHS JAI OPERATIONS AND MAINTENANCE:** The appropriation includes \$4,168,851 reappropriated funds transferred from the Department of Human Services (DHS) for funding operations and maintenance of the Joint Agency Interoperability (JAI) Project. The Joint Agency Interoperability Project enables systems or applications to exchange information to allow the Department, county employees, and external partners to better coordinate services provided to children, youth, and families in Colorado.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to the following centrally appropriated line items: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; PERA direct distributions; shift differential; workers' compensation; legal services; administrative law judges; payment to risk management and property funds; vehicle lease payments; payments to the Governor's Office of Information Technology (OIT); and CORE operations. The appropriation includes a Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction.

**IT SERVICE AND SUPPORT MANAGEMENT:** The appropriation includes an increase of \$1,250,000 reappropriated funds to support the purchase of licenses and ongoing maintenance for the upgraded and enhanced IT Service Management (ITSM) suite. This integrated tool will improve customer experience through a single hub for all customer needs and inquiries, faster processing with automated workflow, and better IT data with on-demand analysis.

**COLORADO DIGITAL SERVICES:** The appropriation includes an increase of \$1,240,560 General Fund and 7.0 FTE for FY 2020-21. Colorado Digital Services is a group of IT professionals from the private sector that agree to take a term-limited position with the state. Working with program employees and career state IT professionals, Colorado Digital Services brings a new perspective to the table when IT projects stall, fail, or are otherwise "not on track."

**IMPROVE NETWORK STABILITY AND CONNECTIVITY:** The appropriation includes an increase of \$1,130,900 reappropriated funds in FY 2020-21, which is expected to increase to \$1,817,591 in FY 2021-22, and \$2,504,281 in FY 2022-23 and ongoing, to expand the Colorado State Network (CSN) Circuits service. The project is funded through payments made by user-agencies. This funding allows departments to take advantage of the redundancy and expansion capability now available through additional service providers. Costs associated with the service will continue to be budgeted and billed via OIT common policy based on the direct circuit costs incurred.

**DHS REPLACE PHONE SYSTEMS:** The appropriation includes \$689,371 reappropriated funds transferred from the Department of Human Services (DHS) for OIT to pursue installation of new phone systems at the Colorado Mental Health Institute at Pueblo.

**CUSTOMER-FOCUSED TOOLS FOR COMMON POLICY:** The appropriation includes an increase of \$679,188 in FY 2020-21, which will be adjusted to \$669,556 in FY 2021-22 and ongoing, to fund Customer Relationship Management (CRM) software and tools for financial planning and customer reporting. The source of funds is

reappropriated funds allocated to user agencies. The funding provides OIT IT Directors, IT Program and Portfolio Managers, senior leadership, service owners, and the finance office with specific tools that enhance customer experience through each interaction and support financial transparency.

**DISASTER RECOVERY STAFF:** The appropriation includes an increase of \$349,657 reappropriated funds and 2.0 FTE in FY 2020-21, which will increase to \$390,594 and 2.0 FTE in FY 2021-22 and ongoing, to support the development of IT Disaster Recovery plans for approximately 148 critical applications and ensure business continuity across departments. OIT successfully completed and implemented the Backup Colorado project in June 2017 to provide a robust backup and recovery solution for all department critical applications. As part of Backup Colorado, all OIT-managed applications and associated data are now protected via backup and recovery enterprise solutions. OIT also established infrastructure redundancy and data replication across its two main data centers to ensure no loss of data in the event of a disaster. The FY 2020-21 initiative adds dedicated staff to establish and maintain IT disaster recovery plans, as well as provide training and compliance sustainability.

**STATEWIDE DATA SHARING PILOT:** The appropriation includes an increase of \$279,075 reappropriated funds and 2.0 FTE in FY 2020-21 to support staff and tools within OIT to improve standard and systematic data management, governance, and sharing across state departments.

**NAT OGCC E-FILING SYSTEM:** The appropriation includes \$147,840 reappropriated funds transferred from the Department of Natural Resources (NAT) for the Oil and Gas Conservation Commission (OGCC) to implement an e-filing system.

**FUND SOURCE ADJUSTMENT:** The appropriation includes an increase in the amount of total department indirect cost recoveries applied, which is reflected in an increased appropriation of reappropriated funds with a small offset of cash funds.

**COR DECORUM OPERATING COSTS:** The appropriation includes an increase of \$76,528 reappropriated funds transferred from the Department of Corrections to the Governor's Office of Information Technology for the maintenance costs associated with the offender records management system known as "DeCORuM."

**INDIRECT COST ADJUSTMENT:** The appropriation includes a net increase in the department's indirect cost assessment.

**CONTINUE MANSION MAINTENANCE APPROPRIATION:** The appropriation includes an increase of \$25,000 cash funds from the Governor's Mansion Maintenance and Emergency Fund to provide spending authority from the fund. Revenue to the fund is primarily in the form of facilities fees paid to rent different areas at the Governor's residence.

**CREATIVE DISTRICT INTEREST SPENDING AUTHORITY:** The appropriation includes a one-time increase of \$10,786 cash funds to support the Colorado Creative Districts program. The funding represents interest collected on loans made to creative districts. The Creative District program offers eligible districts access to project funding through the loan fund, tailored technical assistance, networking and training programs, and professional development.

**MOVE EDUCATION LEADERSHIP FUNDS:** The appropriation includes an increase of \$100,000 General Fund in the Governor's Office (division) and a corresponding reduction of \$100,000 General Fund in the Lieutenant Governor's Office (division), which represents appropriations for the Education Leadership Council (ELC). Under the prior administration, the ELC was managed by the Lieutenant Governor's chief of staff, who assumed responsibility for coordinating meetings and working with Commission members to develop policy priorities. The current administration has chosen the senior education policy advisor for education in the Governor's office to



assume these responsibilities. Transferring funds from one division to the other aligns the budget with the management of the programming.

**ADD OUTDOOR RECREATION OFFICE LINE ITEM:** The appropriation includes a transfer of \$370,000 General Fund and 3.0 FTE to a new line item for the Office of Outdoor Recreation. The appropriation transfers \$150,000 General Fund from the Colorado Promotion – Other Program Costs line item and \$220,000 from the Global Business Development line item to this newly created office. This change aligns the budget with program operations.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$515,199	\$4,971	\$0	\$510,228		0.0
SB19-005 Import prescription medication	296,160	0	0	296,160		0.0
SB18-1299 Local government retirement plan technical correction	16,590	0	0	16,590		0.0
SB20-222 Small Business CARES Grants	(20,000,000)	(20,000,000)	0	0		0.0
HB18-1325 Digital Trunked Radio Gaps	(1,666,448)	(2,000,000)	333,552	0		0.0
SB19-006 E-Sales and Use tax	(1,250,000)	(433,000)	0	(817,000)		0.0
SB19-251 Requirements of OIT	(590,497)	(590,497)	0	0		0.0
SB19-073 System for advance medical directives	(581,631)	0	0	(581,631)		0.0
SB19-223 Procedural competency	(344,884)	0	0	(344,884)		0.1
SB19-235 Automatic voter registration	(136,240)	0	0	(136,240)		0.0
HB19-1287 Treatment for opioids	(127,595)	0	0	(127,595)		(1.1)
HB19-1309 Mobile home park act	(121,945)	0	(120,865)	(1,080)		0.0
SB19-178 Subsidize adoption	(60,204)	0	0	(60,204)		0.0
SB19-143 Parole Changes	(25,200)	0	0	(25,200)		0.0
SB19-256 Electronic documents	(16,590)	0	0	(16,590)		0.0
SB19-165 Increase Parole Board	(5,936)	0	0	(5,936)		0.0
<b>TOTAL</b>	<b>(\$24,099,221)</b>	<b>(\$23,018,526)</b>	<b>\$212,687</b>	<b>(\$1,293,382)</b>		<b>(1.0)</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out year impact of prior year budget actions, as detailed in the following table.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
(OIT) FY19-20 GenTax	\$703,321	\$0	\$0	\$703,321	\$0	7.0
Salary survey	579,038	3,164	0	575,874	0	0.0
(OIT) FY19-20 UI management operating	474,020	0	0	474,020	0	4.5
(OIT) FY19-20 OS and productivity suite	441,122	0	0	441,122	0	0.0
(OIT) FY19-20 Enterprise data integration	270,594	0	0	270,594	0	0.0
(OIT) HCPF FY19-20 CBMS PEAK	160,909	0	0	160,909	0	0.0
(OEDIT) Leased space contract escalator	6,124	6,124	0	0	0	0.0
(OIT) FY19-20 PERA Direct Distribution	0	(45,153)	0	0	45,153	0.0
(OIT) FY19-20 Securing IT operations	(6,793,854)	0	0	(6,793,854)	0	0.0
(OIT) FY19-20 Mansion Activity Fund	(859,144)	0	(25,000)	(834,144)	0	0.0
(OIT) FY19-20 Medicaid enterprise operating costs	(829,109)	0	0	(829,109)	0	0.0
(OIT) HCPF FY19-20 Local administration transfer	(801,240)	0	0	(801,240)	0	0.0
(OIT) FY19-20 Transform customer experience	(796,000)	0	0	(796,000)	0	0.0
(OIT) FY19-20 CO Digital Services	(754,946)	(754,946)	0	0	0	(4.7)
(OIT) Prior year salary survey	(643,141)	(3,164)	0	(639,977)	0	0.0

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
(OEDIT) Procurement technical assistance center	(220,000)	0	(220,000)	0	0	0.0
(OIT) FY19-20 OGCC Electronic filing system	(83,710)	0	0	(83,710)	0	0.0
(OIT) FY19-20 Optimize self-service capabilities	(60,620)	0	0	(60,620)	0	0.0
(OEDIT) Rural jump start	(40,492)	(40,492)	0	0	0	(0.5)
(OIT) FY19-20 Essential database support	(37,624)	0	0	(37,624)	0	0.0
(OEDIT) PTAC supplemental	(21,219)	(21,219)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$9,305,971)</b>	<b>(\$855,686)</b>	<b>(\$245,000)</b>	<b>(\$8,250,438)</b>	<b>\$45,153</b>	<b>6.3</b>

**OIT BUDGET EFFICIENCIES:** The appropriation includes a reduction of \$5,592,367 total funds in FY 2020-21 related to services provided by OIT to other state agencies. The changes are summarized by the type of services provided, which also follows the Office's budget structure.

OIT BUDGET EFFICIENCIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Voice and data	(\$2,200,000)	\$0	(\$1,200,000)	(\$1,000,000)	\$0	0.0
Server management	(1,945,120)	0	0	(1,945,120)	0	0.0
Applications	(541,802)	(67,098)	(31,938)	(442,766)	0	(1.0)
Central admin	(473,729)	0	0	(473,729)	0	(2.0)
Mainframe services	(222,714)	0	0	(222,714)	0	0.0
Network services	(209,002)	0	0	(209,002)	0	0.0
<b>TOTAL</b>	<b>(\$5,592,367)</b>	<b>(\$67,098)</b>	<b>(\$1,231,938)</b>	<b>(\$4,293,331)</b>	<b>\$0</b>	<b>(3.0)</b>

**REDUCE TECHNOLOGY ADVANCEMENT AND EMERGENCY FUND:** The appropriation eliminates future spending authority from the Technology Advancement and Emergency Fund the balance of which was transferred to the General Fund in FY 2019-20.

**ELIMINATE FUNDS NO LONGER NECESSARY TO IMPLEMENT E-TAX SIMPLIFICATION:** The appropriation includes a reduction of \$2,302,448 General Fund due to the project underway for the simplification of electronic filing of sales and use tax reports not requiring ongoing appropriations.

**SUSPEND GF FOR COLORADO TOURISM OFFICE PROMOTION:** The appropriation includes a one-time suspension of \$2,000,000 General Fund that had previously been appropriated for Colorado Tourism Office for Colorado promotion.

**TOURISM OFFICE REDUCTIONS:** The appropriation includes one-time reductions of \$1,945,976 General Fund, which represent budget reductions identified by the Office of Economic Development and International Trade.

**SUSPEND GF FOR COLORADO FILM OFFICE:** The appropriation includes a one-time reduction of \$500,000 General Fund for the Colorado Office of Film, Television, and Media.

**SUSPEND GF FOR DESTINATION DEVELOPMENT PROGRAM:** The appropriation includes a one-time reduction of \$500,000 General Fund for the Destination Development program.

**PTAC TECHNICAL:** The appropriation includes a reduction of \$220,000 General Fund, which had been appropriated for the first year operations for the Procurement Technical Assistance Program (PTAC). Direct transfers of General Fund to the continuously appropriated Procurement Technical Assistance Program Cash Fund occurred in subsequent years, but this appropriation remained and was reverted.

**ADMINISTRATIVE FUNDS TECHNICAL:** The appropriation includes a decrease of \$4,585 in total funds from the Office of Economic Development and International Trade Administration line item, including \$2,435 in cash funds and \$2,150 in federal funds appropriated for administrative purposes. OEDIT's accounting team has indicated that OEDIT does not receive these funds.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

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# DEPARTMENT OF HEALTH CARE POLICY AND FINANCING

The Department helps pay health and long-term care expenses for low-income and vulnerable populations. To assist with these costs, the Department receives significant federal matching funds, but must adhere to federal rules regarding program eligibility, benefits, and other features, as a condition of accepting the federal money. The major programs administered by the Department include:

- **Medicaid** – serves people with low income and people needing long-term care
- **Children's Basic Health Plan** – provides a low-cost insurance option for children and pregnant women with income slightly higher than the Medicaid eligibility criteria
- **Colorado Indigent Care Program** – defrays a portion of the costs to providers of uncompensated and under-compensated care for people with low income, if the provider agrees to program requirements for discounting charges to patients on a sliding scale based on income
- **Old Age Pension Health and Medical Program** – serves elderly people with low income who qualify for a state pension but do not qualify for Medicaid or Medicare

The Department also performs functions related to improving the health care delivery system, including advising the General Assembly and the Governor, distributing tobacco tax funds through the Primary Care and Preventive Care Grant Program, financing Public School Health Services, and housing the Commission on Family Medicine Residency Training Programs.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund <sup>1,2</sup>	\$2,832,866,579	\$2,985,709,605	\$2,974,355,707	\$3,184,706,003
Cash Funds	1,215,445,935	1,390,584,738	1,399,023,430	1,767,368,404
Reappropriated Funds	77,491,711	83,593,971	93,709,522	45,956,525
Federal Funds	5,802,250,189	5,944,110,291	6,355,609,055	7,035,804,815
<b>TOTAL FUNDS</b>	<b>\$9,928,054,414</b>	<b>\$10,403,998,605</b>	<b>\$10,822,697,714</b>	<b>\$12,033,835,747</b>
Full Time Equiv. Staff	459.3	506.3	544.6	556.7

<sup>1</sup> Includes General Fund Exempt.

<sup>2</sup> Includes appropriations from the CARE subfund in the General Fund for FY 2020-21.

## GENERAL FACTORS DRIVING THE BUDGET

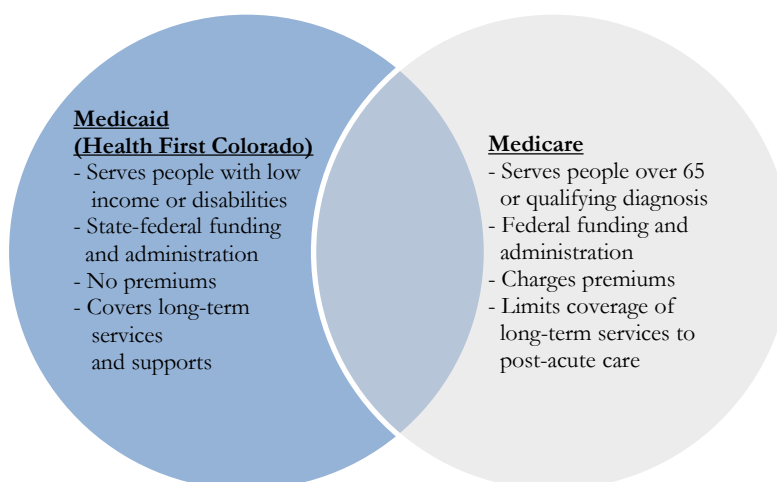
Funding for this department consists of 26.5 percent General Fund, 14.7 percent cash funds, 0.4 percent reappropriated funds, and 58.5 percent federal funds. The largest sources of cash funds include: (1) hospital and nursing facility provider fees; (2) tobacco taxes and tobacco settlement funds; (3) local government funds (certified public expenditures); (4) recoveries and recoupments; (5) money from the Unclaimed Property Trust Fund that is transferred to the Adult Dental Fund; and (6) sales taxes diverted to the Old Age Pension Health and Medical Care Fund. The federal funds include matching funds for the Medicaid program (through Title XIX of the Social Security Administration Act) and matching funds for the Children's Basic Health Plan (through Title XXI of the Social Security Administration Act).

## MEDICAID

Medicaid (marketed by the Department as Health First Colorado) provides health insurance to people with low income and people needing long-term care. Participants generally do not pay annual premiums,<sup>1</sup> and copayments at the time of service are either nominal or not required. The federal government and state government share responsibility for financing, administering, and policy setting for the program.

Medicaid is sometimes confused with the similarly named Medicare, which provides insurance for people who are elderly or have a specific eligible diagnosis regardless of income. The federal government administers Medicare and finances it with a combination of federal funds and annual premiums charged to participants. While the two programs are distinct, they do interact with each other, as some people are eligible for both Medicaid, due to their income, and Medicare, due to their age. For these people (called "dual eligible"), Medicaid pays the Medicare premiums and may assist with copayments, depending on the person's income. In addition, there are some differences in the coverage provided by Medicaid and Medicare. Most notably from a budgeting perspective, Medicaid covers long-term services and supports (LTSS) while Medicare coverage for LTSS is generally limited to post-acute care.

Nearly all Medicaid recipients age 65 and older are also enrolled in Medicare, as are a portion of Medicaid recipients with disabilities.



The federal government matches state expenditures for the Medicaid program. The federal match rate, called the Federal Medical Assistance Percentage (FMAP), can vary based on economic conditions in the state, the type of services provided, and the population receiving services. The federal Families First Coronavirus Relief Act temporarily increased the standard federal match by 6.2 percent from January 1, 2020 through the last quarter when a disaster is declared by the federal Secretary of Health and Human Services, which the budget assumes will be the end of December 2020. For adults who became eligible (referred to as "newly eligible") for Medicaid services as part

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<sup>1</sup> The exception where participants would pay a premium is the voluntary "buy-in" program for people with disabilities whose income is above the standard Medicaid eligibility criteria but below 400 percent of the federal poverty guidelines.

of the Medicaid expansion under the federal Affordable Care Act, Colorado will receive an enhanced federal match of 93.0 percent in 2019 and 90 percent in 2020 and beyond.

STANDARD MEDICAID FEDERAL MATCH					
State	Ave.	Federal Match by Quarter (of state fiscal year)			
Fiscal Year	Match	Q1-July	Q2-October	Q3-January	Q4-April
FY 15-16	50.79	51.01	50.72	50.72	50.72
FY 16-17	50.20	50.72	50.02	50.02	50.02
FY 17-18	50.00	50.02	50.00	50.00	50.00
FY 18-19	50.00	50.00	50.00	50.00	50.00
FY 19-20	53.10	50.00	50.00	56.20	56.20
FY 20-21	<i>53.10</i>	<i>56.20</i>	<i>56.20</i>	<i>50.00</i>	<i>50.00</i>

*Italicized figures are projections.*

ACA "NEWLY ELIGIBLE" FEDERAL MATCH					
State	Ave.	Federal Match by Quarter (of state fiscal year)			
Fiscal Year	Match	Q1-July	Q2-October	Q3-January	Q4-April
FY 15-16	100.00	100.00	100.00	100.00	100.00
FY 16-17	97.50	100.00	100.00	95.00	95.00
FY 17-18	94.50	95.00	95.00	94.00	94.00
FY 18-19	93.50	94.00	94.00	93.00	93.00
FY 19-20	91.50	93.00	93.00	90.00	90.00
FY 20-21	90.00	90.00	90.00	90.00	90.00

Medicaid generally operates as an entitlement program, meaning the people deemed eligible have a legal right to the plan benefits. As a result, if the eligible population and/or the eligible services utilized are greater than expected, then the state and federal government must pay the higher cost, regardless of the initial appropriation. There are exceptions where federal waivers allow enrollment and/or expenditure caps for expansion populations and services. In the event that the State's Medicaid obligation is greater than anticipated, the Department has statutory authority to overexpend the Medicaid appropriation.<sup>2</sup>

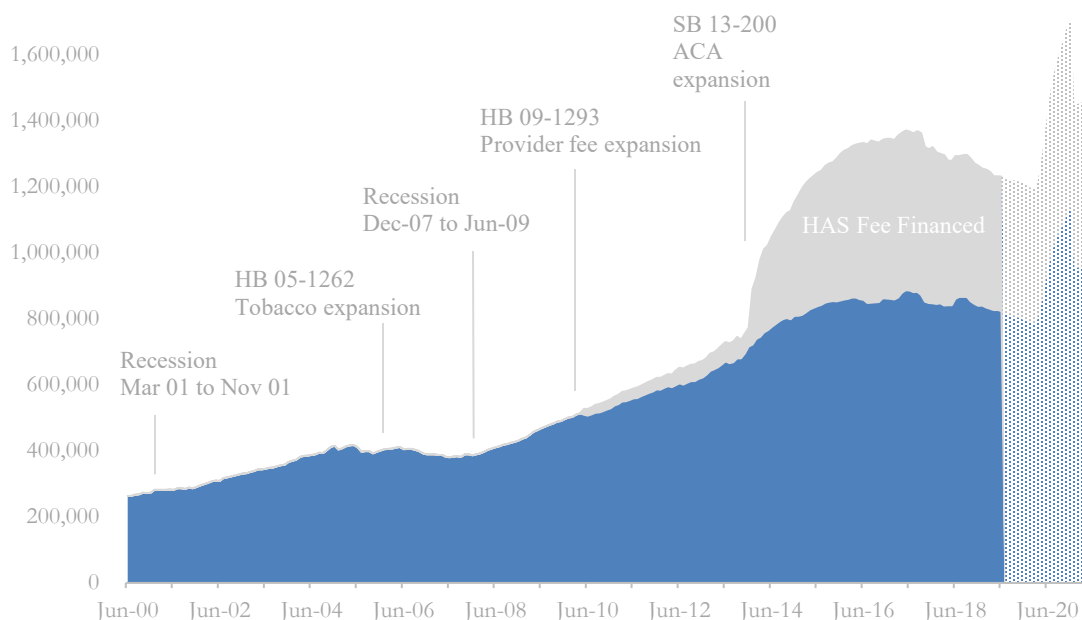
The most significant factor affecting Medicaid expenditures is enrollment. Medicaid enrollment is influenced by factors such as the state population and demographics, economic conditions that affect the number of people who meet the income eligibility criteria, and state and federal policy changes regarding eligibility. During the time frame covered by the graphic below there were three major eligibility expansions and a number of smaller expansions. The first expansion, authorized by H.B. 05-1262, used revenue from a tobacco tax approved by voters to remove asset tests, moderately increase income limits for parents, and expand eligibility for children needing long-term services and supports. Increases in enrollment due to the expanded eligibility were offset by an improving economy. Over time, increases in the population and costs of services exceeded tobacco tax revenues, and the General Fund filled in the difference for this expansion. In the second and third expansions, authorized by H.B. 09-1293 and S.B. 13-200, a provider fee on hospitals combined with a 90.0 percent federal match rate, provided through the federal Affordable Care Act (ACA), allowed Colorado to nearly double income eligibility limits for parents and begin covering low-income adults without dependent children, along with some smaller changes to eligibility determination procedures for children and the creation of a buy-in program for people with disabilities. The provider fee on hospitals that pays for the 10.0 percent state share of costs is called the Healthcare Affordability and Sustainability (HAS) Fee. The implementation of some of the increases in eligibility authorized by H.B. 09-1293 was delayed to take advantage of favorable federal match rates authorized by the federal Affordable Care Act based on the date of a coverage expansion, such that the full impact of both bills on eligibility was not realized until January 2014.

<sup>2</sup> See Section 24-75-109(1) (a), C. R. S.

## Medicaid Enrollment of 1,229,339 as of June 2019

405,963 Healthcare Affordability and Sustainability (HAS) Fee

823,376 General Fund and non-HAS Fee sources



The projected sharp decrease in monthly enrollment in January 2021 depicted in the graph is due to the expected expiration of a requirement of the Families First Coronavirus Relief Act. To qualify for the higher federal match offered by the bill, states must provide continuous enrollment, even if someone would normally lose coverage due to a change in family or fiscal circumstances, and not reduce benefits for the duration of the declared federal health emergency. The forecast assumes the requirement will expire in January 2021, resulting in a large number of disenrollments in that month.

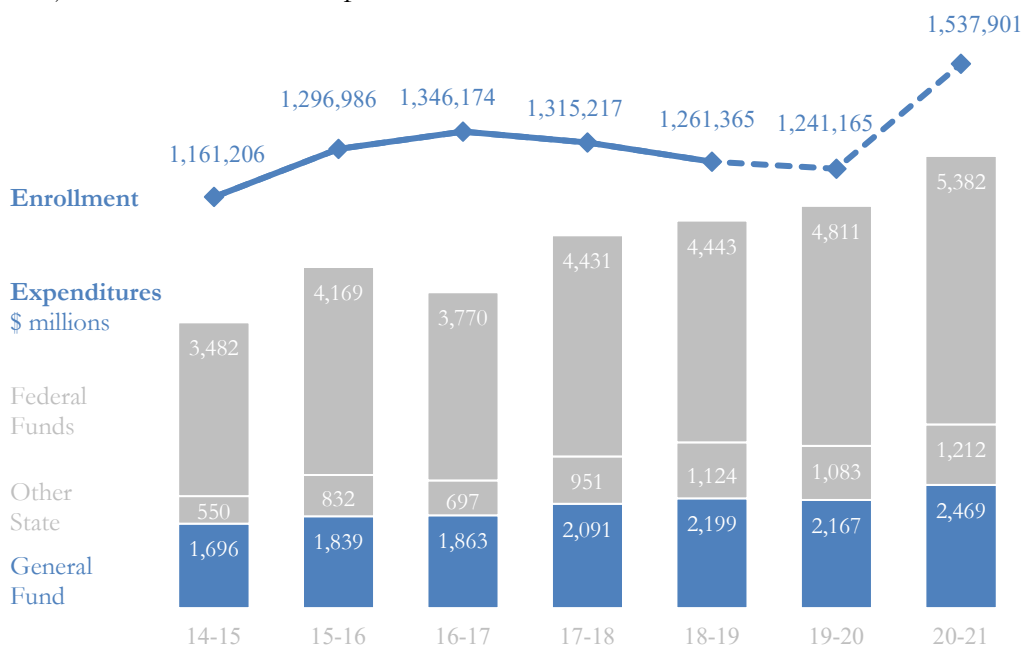
## MEDICAL SERVICES PREMIUMS

Medical Services Premiums is a subset of Medicaid expenditures that pays for acute care services (such as physician visits, prescription drugs, and hospital visits) and long-term care services (provided within nursing facilities and community settings).<sup>3</sup> The Department contracts with health care providers through fee-for-service and managed care organizations in order to provide these services to eligible clients. Total costs for the program are driven by the number of clients, the costs of providing health care services, and the utilization of health care services.

The graph below summarizes recent and projected enrollment and expenditures. In May 2020 the Department released an updated forecast for FY 2019-20 and FY 2020-21 to try to capture the impact of the coronavirus on health care utilization and the impact of changes in the economy on eligibility and enrollment.

<sup>3</sup> Medicaid expenditures not included in Medical Services Premiums are behavioral health services, long-term services and supports for people with intellectual and developmental disabilities, financing through the indigent care program, the State's obligation under the Medicare Modernization Act, programs administered by other departments, and department administration.

## Medical Services Premiums Projected Caseload and Expenditures



## BEHAVIORAL HEALTH CAPITATION PAYMENTS

Behavioral health services, which include both mental health and substance use-related services, are provided to Medicaid clients through a statewide managed care or "capitated" program. The Department contracts with "regional accountable entities" (RAEs) to provide or arrange for behavioral health services for clients enrolled with each RAE<sup>4</sup>. In order to receive services through behavioral health capitation, a client must have a covered diagnosis and receive a covered service or procedure that is medically necessary. Each RAE receives a pre-determined monthly amount for each Medicaid client who is eligible for behavioral health services and enrolled with the RAE. The "per-member-per-month" rates paid to each RAE are unique for each Medicaid eligibility category in each geographic region. The Department adjusts these rates periodically based on historical rate experience and data concerning client service utilization. Appropriations for FY 2020-21 reflect funding for a projected 1,492,723 Medicaid clients eligible for behavioral health services. Behavioral health services are primarily supported by the General Fund and federal funds. Cash fund sources include the Healthcare Affordability and Sustainability Fee Cash Fund and the Breast and Cervical Cancer Prevention and Treatment Fund.

The enrollment changes described in the Medical Services Premiums section also apply to services that are funded in this section, with two exceptions. Two Medicaid populations that are eligible for certain medical benefits are not eligible for behavioral health services: (1) non-citizens; and (2) adults who are eligible for both Medicaid and Medicare but for whom the Medicaid benefit is limited to payment of Medicare premiums and co-insurance payments. In addition, Medicaid-eligible clients who are enrolled in a Program of All-inclusive Care for the Elderly (PACE Program) are excluded from enrollment in a RAE.

The following three tables show the year-over-year changes projected for FY 2020-21 in Medicaid enrollment, payments made to RAEs through the capitation program, and expenditures per capita by enrollment category.

<sup>4</sup> Clients are attributed to RAEs based on the location of their primary care provider, rather than their own address.



BEHAVIORAL HEALTH CAPITATION PROGRAM: ENROLLMENT				
CATEGORY	FY 19-20 REVISED ESTIMATE	FY 20-21 REVISED ESTIMATE	DIFFERENCE	PERCENT
Children to 147% Federal Poverty Level (FPL)	472,937	582,612	109,675	23.2%
Adults w/out Dependent Children to 138% FPL	326,414	403,669	77,255	23.7%
Parents/Caretakers to 68% FPL; Pregnant Adults to 200% FPL	181,133	221,367	40,234	22.2%
Individuals with Disabilities to age 64 (to 450% FPL)	91,904	115,406	23,502	25.6%
Parents/Caretakers 69% to 138% FPL	60,700	80,379	19,679	32.4%
Adults age 65+ (to SSI)	49,152	61,658	12,506	25.4%
Foster Care to 26 years	22,126	27,464	5,338	24.1%
Breast & Cervical Cancer to 250% FPL	140	168	28	20.0%
<b>TOTAL</b>	<b>1,204,506</b>	<b>1,492,723</b>	<b>288,217</b>	<b>23.9%</b>

BEHAVIORAL HEALTH CAPITATION PROGRAM: ANNUAL EXPENDITURES				
CATEGORY	FY 19-20 REVISED ESTIMATE	FY 20-21 APPROPRIATION	DIFFERENCE	PERCENT
Children to 147% FPL	\$143,297,087	\$184,982,624	\$41,685,537	29.1%
Adults w/out Dependent Children to 138% FPL	241,097,399	314,794,409	73,697,010	30.6%
Parents/Caretakers to 68% FPL; Pregnant Adults to 200% FPL	68,056,052	87,537,526	19,481,474	28.6%
Individuals with Disabilities to age 64 (to 450% FPL)	150,087,267	194,112,464	44,025,197	29.3%
Parents/Caretakers 69% to 138% FPL	17,434,954	24,782,268	7,347,314	42.1%
Adults age 65+ (to SSI)	14,218,178	18,319,801	4,101,623	28.8%
Foster Care to 26 years	34,522,202	44,443,237	9,921,035	28.7%
Breast & Cervical Cancer to 250% FPL	52,597	66,434	13,837	26.3%
Risk Corridor Reconciliation	26,800,000	0	(26,800,000)	n/a
Date of Death Retractions	(2,789,416)	(3,022,106)	(232,690)	8.3%
Rate Adjustment: New Service Coverage	0	2,000,000	2,000,000	n/a
Health insurance provider fee payments (for previous year)	0	5,708,251	5,708,251	n/a
Residential and inpatient SUD (H.B. 18-1136)	0	43,467,016	43,467,016	n/a
Estimated incentive payments (for previous year)	22,587,965	28,165,635	5,577,670	24.7%
<b>TOTAL</b>	<b>\$715,364,285</b>	<b>\$945,357,559</b>	<b>\$229,993,274</b>	<b>32.2%</b>

BEHAVIORAL HEALTH CAPITATION PROGRAM: ANNUAL PER CAPITA EXPENDITURES				
CATEGORY	FY 19-20 REVISED ESTIMATE	FY 20-21 REVISED ESTIMATE	DIFFERENCE	PERCENT
Children to 147% FPL	\$303	\$317	\$14	4.7%
Adults w/out Dependent Children to 138% FPL	736	779	43	5.8%
Parents/Caretakers to 68% FPL; Pregnant Adults to 200% FPL	374	393	19	5.1%
Individuals with Disabilities to age 64 (to 450% FPL)	1,624	1,676	51	3.2%
Parents/Caretakers 69% to 138% FPL	284	304	20	6.9%
Adults age 65+ (to SSI)	281	290	10	3.4%
Foster Care to 26 years	1,553	1,609	55	3.6%
Breast & Cervical Cancer to 250% FPL	376	395	20	5.3%
<b>TOTAL (excluding rate adjustments and payments associated with previous fiscal years)</b>	<b>\$555</b>	<b>\$582</b>	<b>\$27</b>	<b>4.9%</b>

## OFFICE OF COMMUNITY LIVING

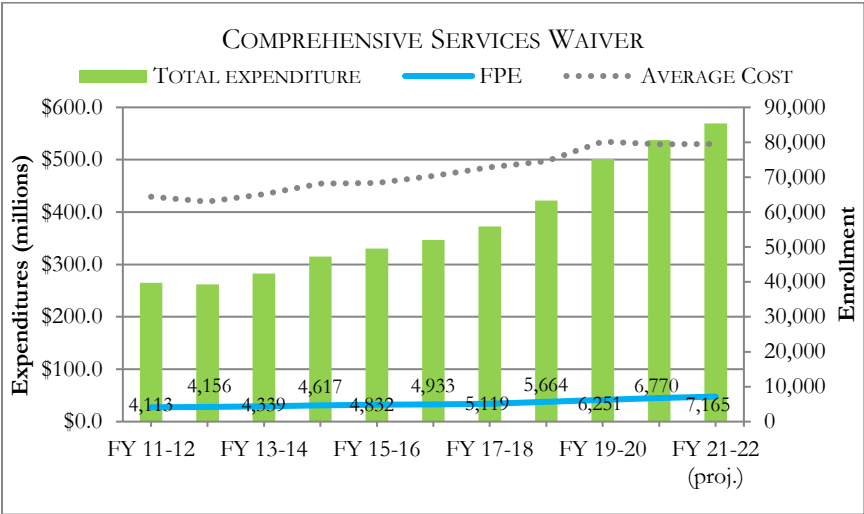
### DIVISION OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES

Intellectual and developmental disability waiver services are not subject to standard Medicaid State Plan service and duration limits. Instead, these services are provided under a Medicaid waiver program. As part of the waiver, Colorado is allowed to limit the number of waiver program participants which has resulted in some individuals being unable to immediately access the services they need. Colorado has four Medicaid waivers for intellectual and developmental disability services:

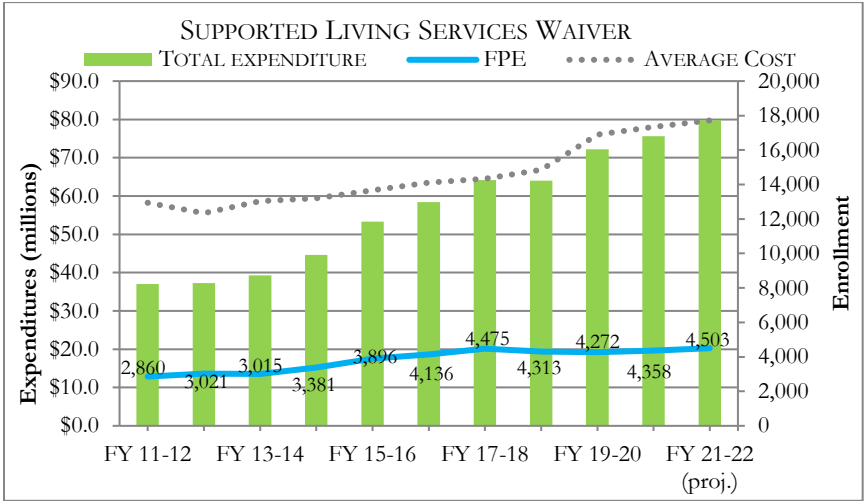
- Comprehensive waiver for individuals over the age of eighteen who require residential and daily support services to live in the community;
- Supported Living Services waiver (SLS waiver) for individuals over the age of eighteen who do not require residential services but require daily support services to live in the community;
- Children's Extensive Services waiver (CES waiver) for youth ages five to eighteen who do not require residential services but do require daily support services to be able to live in their family home; and

- Children’s Habilitation Residential Program waiver (CHRP) for children with intellectual and developmental disabilities and complex behavioral support needs requiring home- and community-based services.

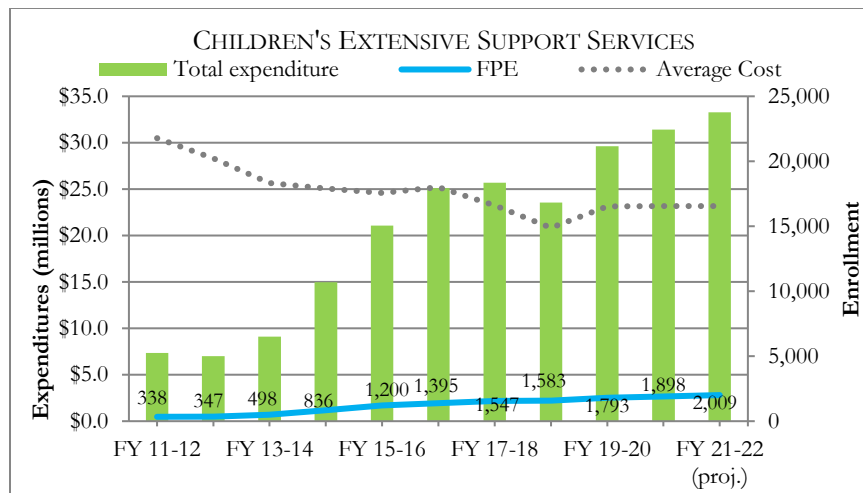
New enrollments have historically been funded for youth transitioning to adult services, individuals requiring services resulting from emergency situations, and all individuals eligible for the Supported Living Services (SLS) and Children's Extensive Services (CES) waivers. The following graphs illustrate the growth in adult and child enrollments respectively.



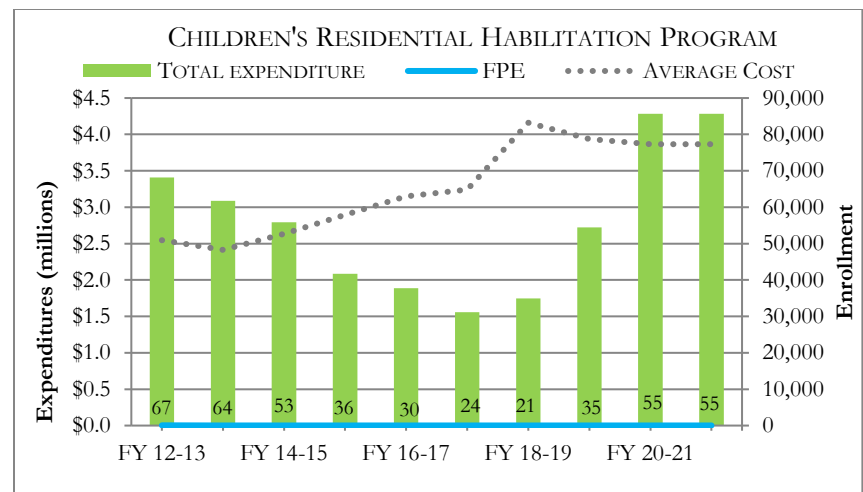
Note: Data labels indicate Full Program Equivalent (FPE). FPE represents the average number of individuals receiving services at a given time.



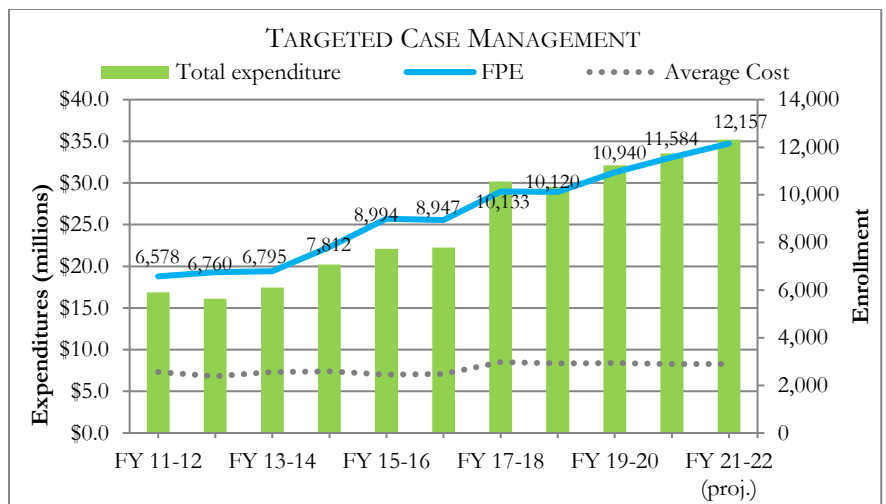
Note: Data labels indicate Full Program Equivalent (FPE)



Note: The significant decrease in expenditures beginning in FY 2018-19 is a result of the shift of certain services from the Children's Extensive Support Services Waiver to the State Medicaid Plan, including behavioral services, personal care, assistive technology, specialized medical equipment and supplies, and vision. Data labels indicate Full Program Equivalent (FPE).



Note: Prior to FY 2018-19, the Children's Residential Habilitation Program was administered by the Division of Child Welfare in the Department of Human Services. During that time, funding for the program was allocated to the counties as a part of the Child Welfare Block allocation. The Department estimates that 61 children will receive services through this waiver each year beginning in FY 2018-19. Data labels indicate Full Program Equivalent (FPE).



Note: Targeted Case Management is provided for the HCBS Waivers, State SLS, and FSSP. Data labels indicate Full Program Equivalent (FPE).

## INDIGENT CARE PROGRAM

The Indigent Care Program distributes Medicaid funds to hospitals and clinics that have uncompensated costs from treating uninsured or underinsured Coloradans. Unlike the rest of Medicaid, this is not an insurance program or an entitlement. Funding for this program is based on policy decisions at the state and federal levels and is not directly dependent on the number of individuals served or the cost of the services provided. The majority of the funding is from federal sources. State funds for the program come from provider fees paid by hospitals and the General Fund.

## CHILDREN'S BASIC HEALTH PLAN

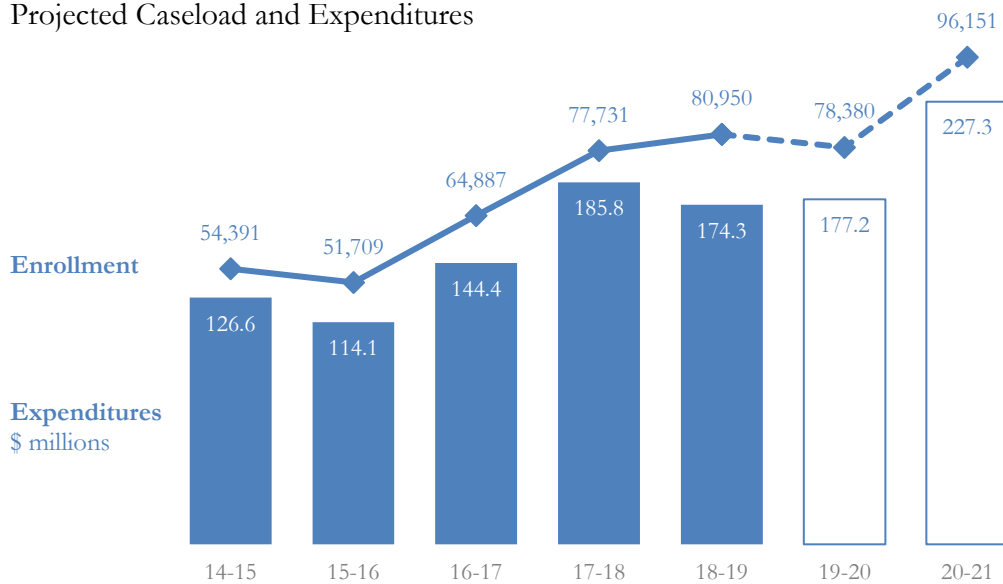
The Children's Basic Health Plan (marketed by the Department as the Children's Health Plan *Plus* and abbreviated as CHP+) complements the Medicaid program, providing low-cost health insurance for children and pregnant women in families with slightly more income than Medicaid eligibility criteria allow. Annual membership premiums are variable based on income, with an example being \$75 to enroll one child in a family earning 205 percent of the federal poverty guidelines. Coinsurance costs are nominal. The federal match rate is indexed to the match rate for Medicaid and can change based on economic conditions in the state. CHP+ typically receives approximately \$15 million in revenue from the Tobacco Master Settlement Agreement, and any remaining state match comes from the General Fund. Federal policies provided a temporary boost to the match rates for federal fiscal years 2015-16 through 2018-19. The match rate was scheduled to phase down to 76.5 in federal fiscal year 2019-20 and 65.0 percent in federal fiscal year 2020-21, but the federal Families First Coronavirus Relief Act provided a temporary increase from January 2020 through the last quarter with a declared federal health emergency. The forecast assumes the increase will expire at the end of December 2020.

CHP+ FEDERAL MATCH					
State Fiscal Year	Ave. Match	Federal Match by Quarter (of state fiscal year)			
		Q1-July	Q2-October	Q3-January	Q4-April
FY 15-16	82.80	65.71	88.50	88.50	88.50
FY 16-17	88.14	88.50	88.01	88.01	88.01
FY 17-18	88.00	88.01	88.00	88.00	88.00
FY 18-19	88.00	88.00	88.00	88.00	88.00
FY 19-20	81.55	88.00	76.50	80.84	80.84
FY 20-21	<i>70.05</i>	<i>80.84</i>	<i>69.34</i>	<i>65.00</i>	<i>65.00</i>

*Italicized figures are projections.*

Enrollment in CHP+ is highly changeable, in part because eligibility for the program is sandwiched between an upper income limit and a lower income limit below which an applicant is eligible for Medicaid and not eligible for CHP+. In addition, the program has experienced frequent adjustments to state and federal eligibility criteria and to administrative procedures for handling eligibility determinations that have impacted enrollment.

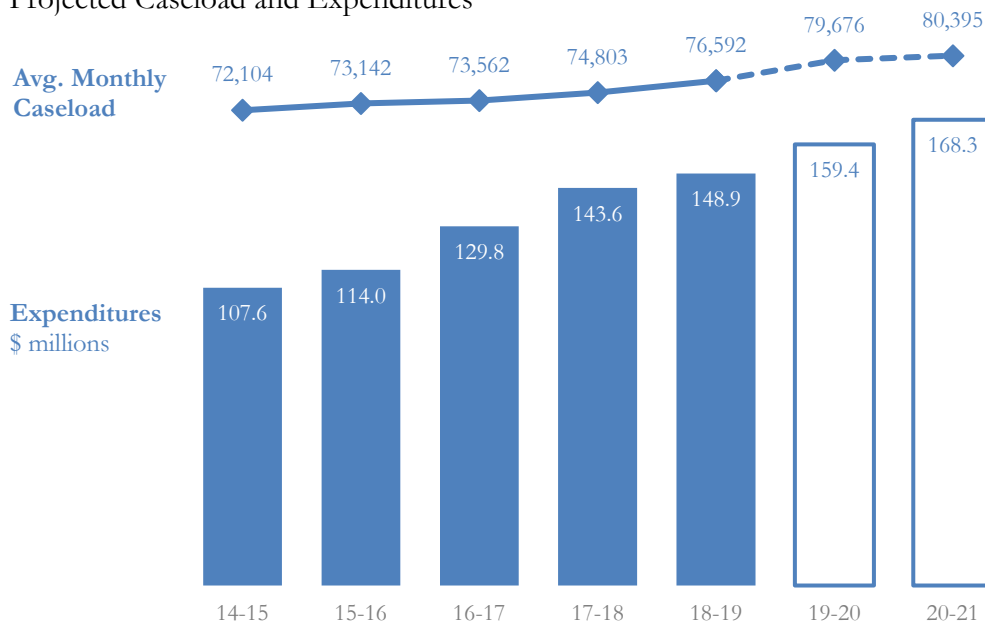
## Children's Basic Health Plan (CHP+) Projected Caseload and Expenditures



## MEDICARE MODERNIZATION ACT STATE CONTRIBUTION

The federal Medicare Modernization Act requires states to reimburse the federal government for a portion of prescription drug costs for people dually eligible for Medicare and Medicaid. In 2006 Medicare took over responsibility for these drug benefits, but to defray federal costs the federal legislation required states to make an annual payment based on a percentage of what states would have paid for this population in Medicaid, as estimated by a federal formula. This payment is sometimes referred to as the "clawback." The graph below summarizes Colorado's recent and projected obligation to the federal government.

### Medicare Modernization Act State Contribution Projected Caseload and Expenditures



## DEPARTMENT OF HUMAN SERVICES MEDICAID-FUNDED PROGRAMS

Many programs administered by the Department of Human Services (DHS) qualify for Medicaid funding. The federal government requires that one state agency receive all federal Medicaid funding. Therefore, the state and federal funding for all DHS programs that qualify for Medicaid funding is first appropriated in the Department of Health Care Policy and Financing and then transferred to DHS (as reappropriated funds). For detail regarding the changes in the Department of Human Services Medicaid-Funded programs, please see the Department of Human Services section of this report.

## APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

DEPARTMENT OF HEALTH CARE POLICY AND FINANCING						
	TOTAL FUNDS	GENERAL FUND <sup>1,2,3</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$10,657,855,447	\$3,136,842,180	\$1,385,028,692	\$93,615,672	\$6,042,368,903	532.8
SB 19-005	971,802	1,041,802	0	0	(70,000)	4.1
SB 19-195	1,391,387	619,484	0	0	771,903	3.9
SB 19-209	13,510,958	6,755,479	0	0	6,755,479	0.0
SB 19-222	150,000	51,000	24,000	0	75,000	0.0
SB 19-238	11,427,252	5,682,377	0	0	5,744,875	0.0
SB 19-254	250,000	0	250,000	0	0	0.0
HB 19-1004	150,000	150,000	0	0	0	0.0
HB 19-1038	439,425	0	66,955	0	372,470	0.0
HB 19-1176	92,649	92,649	0	0	0	0.0
HB 19-1269	334,001	113,560	53,440	0	167,001	3.0
HB 19-1287	63,922	21,733	10,228	0	31,961	0.8
HB 19-1302	2,425,021	0	857,783	0	1,567,238	0.0
HB 20-1246	58,693,753	42,828,599	41,789,018	0	(25,923,864)	0.0
HB 20-1360	74,942,097	(195,109,211)	(53,790,631)	93,850	323,748,089	0.0
HB 20-1385	0	(24,733,945)	24,733,945	0	0	0.0
<b>TOTAL</b>	<b>\$10,822,697,714</b>	<b>\$2,974,355,707</b>	<b>\$1,399,023,430</b>	<b>\$93,709,522</b>	<b>\$6,355,609,055</b>	<b>544.6</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$10,822,697,714	\$2,974,355,707	\$1,399,023,430	\$93,709,522	\$6,355,609,055	544.6
Enrollment/utilization trends						
Medical Services Premiums	986,871,357	308,878,514	173,174,315	(45,393,896)	550,212,424	0.0
Behavioral Health	189,308,877	53,032,870	15,848,204	0	120,427,803	0.0
Child Health Plan Plus	52,612,403	26,221,109	12,618,425	0	13,772,869	0.0
Office of Community Living	40,583,467	20,804,121	75,410	0	19,703,936	0.0
Medicare Modernization Act	8,903,173	8,903,173	0	0	0	0.0
School health services forecast	6,235,449	0	3,117,725	0	3,117,724	0.0
Higher federal match	<u>(706,967)</u>	<u>(25,268,791)</u>	<u>3,069,239</u>	<u>0</u>	<u>21,492,585</u>	<u>0.0</u>
<i>Subtotal - Enrollment/ utilization trends</i>	<i>1,283,807,759</i>	<i>392,570,996</i>	<i>207,903,318</i>	<i>(45,393,896)</i>	<i>728,727,341</i>	<i>0.0</i>
Eligibility/benefit changes						
Substance use disorder patient placement and benefit implementation	44,699,942	8,944,319	3,085,403	0	32,670,220	0.0
Member copays	(8,809,862)	(2,136,757)	(733,663)	0	(5,939,442)	0.0
Healthy Communities outreach	(2,000,000)	(1,000,000)	0	0	(1,000,000)	0.0
Senior dental program	<u>(1,000,000)</u>	<u>(1,000,000)</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0.0</u>
<i>Subtotal - Eligibility/ benefit changes</i>	<i>32,890,080</i>	<i>4,807,562</i>	<i>2,351,740</i>	<i>0</i>	<i>25,730,778</i>	<i>0.0</i>
Provider rates						
Annualize FY 19-20 provider rates	22,619,833	10,765,734	148,624	0	11,705,475	0.0
Targeted rate adjustments	1,905,204	1,389,576	(54,735)	0	570,363	0.0
Community provider rate	(53,076,082)	(18,042,844)	(2,161,437)	0	(32,871,801)	0.0
Pharmacy pricing	<u>(7,361,549)</u>	<u>(1,736,572)</u>	<u>(501,710)</u>	<u>0</u>	<u>(5,123,267)</u>	<u>0.0</u>
<i>Subtotal - Provider rates</i>	<i>(35,912,594)</i>	<i>(7,624,106)</i>	<i>(2,569,258)</i>	<i>0</i>	<i>(25,719,230)</i>	<i>0.0</i>
Pharmacy tech and admin	2,478,870	809,652	429,783	0	1,239,435	0.0
Centrally appropriated items	1,776,006	713,475	454,209	(256,901)	865,223	0.0
Human Services programs	1,086,893	543,430	0	0	543,463	0.0
Transfers to other state agencies	199,072	(7,146)	0	49,482	156,736	0.0

DEPARTMENT OF HEALTH CARE POLICY AND FINANCING						
	TOTAL FUNDS	GENERAL FUND <sup>1,2,3</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
School health services expansion	75,000	0	0	0	75,000	0.0
Leased space	60,862	25,234	5,197	0	30,431	0.0
Safety net provider payments	0	0	0	0	0	0.0
IDD Services cash fund-refinance	0	(6,727,431)	6,727,431	0	0	0.0
Case management and state-only programs	0	(367,759)	0	0	367,759	0.0
Work number verification	(22,577,733)	(3,791,252)	(1,436,052)	0	(17,350,429)	0.0
Recoveries and 3rd party liability	(12,634,022)	(3,378,089)	1,917,676	0	(11,173,609)	4.5
Annualize prior year budget actions	(9,394,608)	25,057,729	(27,734,548)	117,389	(6,835,178)	0.7
Teaching hospital supplement	(4,436,698)	(1,855,812)	0	(225,000)	(2,355,886)	0.0
Pediatric hospital supplement	(2,691,002)	(1,262,080)	0	0	(1,428,922)	0.0
Long-term care utilization management	(2,364,614)	(1,596,040)	(22,898)	0	(745,676)	0.0
All Payer Claims Database	(1,209,655)	(1,209,655)	0	0	0	0.0
Commission on Family Medicine	(1,066,098)	(500,000)	0	0	(566,098)	0.0
SBIRT	(1,000,000)	0	(1,000,000)	0	0	0.0
Convert contractors to FTE	(652,899)	(67,630)	(54,774)	0	(530,495)	10.8
Other	(3,112,693)	1,617	(3,147,116)	2	32,804	0.0
<b>HB 20-1360</b>	<b>\$12,048,019,640</b>	<b>\$3,370,498,402</b>	<b>\$1,582,848,138</b>	<b>\$48,000,598</b>	<b>\$7,046,672,502</b>	<b>560.6</b>
SB 20-033	100,000	50,000	0	0	50,000	0.0
SB 20-057	1,954	977	0	0	977	0.0
SB 20-212	5,068,381	5,068,381	0	0	0	0.0
HB 20-1361	(5,565,000)	(331,462)	(1,139,402)	0	(4,094,136)	0.0
HB 20-1362	(7,011,151)	(3,288,230)	0	0	(3,722,921)	0.0
HB 20-1379	(977,212)	(880,628)	(74,277)	(22,307)	0	0.0
HB 20-1384	(1,490,063)	(677,492)	0	0	(812,571)	(3.9)
HB 20-1385	(4,310,802)	(24,733,945)	24,733,945	(2,021,766)	(2,289,036)	0.0
HB 20-1386	0	(161,000,000)	161,000,000	0	0	0.0
<b>TOTAL</b>	<b>\$12,033,835,747</b>	<b>\$3,184,706,003</b>	<b>\$1,767,368,404</b>	<b>\$45,956,525</b>	<b>\$7,035,804,815</b>	<b>556.7</b>
<b>INCREASE/(DECREASE)</b>	<b>\$1,211,138,033</b>	<b>\$210,350,296</b>	<b>\$368,344,974</b>	<b>(\$47,752,997)</b>	<b>\$680,195,760</b>	<b>12.1</b>
Percentage Change	11.2%	7.1%	26.3%	(51.0%)	10.7%	2.2%

<sup>1</sup> Includes General Fund Exempt.

<sup>2</sup> Includes \$391,683 in FY 2019-20 and \$387,132 in FY 2020-21 that is not subject to the statutory restriction on state General Fund appropriations imposed by Section 24-75-201.1, C.R.S.

<sup>3</sup> Includes appropriations from the CARE subfund in the General Fund for FY 2020-21.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1246 modifies FY 2019-20 appropriations to provide a net increase of \$58.7 million total funds, including an increase of \$42.8 million General Fund, primarily for changes in the forecast of enrollment and expenditures, including:

- Medical Services Premiums – A net increase of \$64.2 million total funds, including \$36.9 million General Fund, for medical services and long-term services and supports provided through Medicaid
- Medicare Modernization Act – An increase of \$9.3 million General Fund in reimbursements to the federal government for prescription drugs for people eligible for both Medicaid and Medicare
- School health services – An increase of \$1.7 million total funds for changes in certified public expenditures by local school districts and boards of cooperative education services (BOCES)
- Behavioral Health – A decrease of \$15.6 million total funds, including \$2.7 million General Fund, for the capitation and fee-for-service Medicaid behavioral health programs
- Children's Basic Health Plan – A decrease of \$3.5 million total funds for children and pregnant women enrolled in the Children's Basic Health Plan
- Office of Community Living – A decrease of \$2.7 million total funds, including a decrease of \$1.1 million General Fund, for home- and community-based services for people with intellectual and developmental disabilities

In addition, the bill includes an increase of \$7.1 million total funds, including \$1.4 million General Fund, related to a prescriber tool that will help providers identify the most cost effective medications based on diagnosis information, an increase of \$92,245 total funds, including \$39,489 General Fund, for higher leased space costs with no increase in square footage, an increase of \$80,000 total funds, including \$26,400 General Fund for a centralized patient placement tool for use by substance use disorder (SUD) treatment providers, and a decrease of \$1.9 million total funds, including a decrease of \$986,307 General Fund, for programs that are financed wholly or in part with Medicaid funds but operated by the Department of Human Services.

House Bill 20-1360 modifies FY 2019-20 appropriations to provide a net increase of \$74.9 million total funds, including an increase of \$179.3 million General Fund. Adjustments include:

- Medical Services Premiums – A net increase of \$101.6 million total funds, including a decrease of \$5.7 million General Fund, for medical services and long-term services and supports provided through Medicaid
- Behavioral Health – An increase of \$19.5 million total funds, including \$5.2 million General Fund, for the capitation and fee-for-service Medicaid behavioral health programs
- Children's Basic Health Plan – A decrease of \$7.1 million total funds for children and pregnant women enrolled in the Children's Basic Health Plan
- Office of Community Living – A decrease of \$15.6 million total funds, including a decrease of \$7.1 General Fund, for home- and community-based services for people with intellectual and developmental disabilities
- Medicare Modernization Act – A decrease of \$1.0 million General Fund in reimbursements to the federal government for prescription drugs for people eligible for both Medicaid and Medicare
- Higher federal match – A net decrease of \$12.1 total funds, including a decrease of \$185.2 million General Fund because of a temporary 6.2 percent increase in the standard federal match rate for Medicaid through the federal Families First Coronavirus Relief Act.

House Bill 20-1385 modifies FY 2019-20 appropriations to decrease General Fund appropriations and increase cash fund appropriations by \$24.7 million to take the savings to certain cash funds from the higher federal match rate for Medicaid offered through the federal Families First Coronavirus Relief Act and use it to offset the need for General Fund. The change assists with budget balancing.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**SUMMARY OF FY 2020-21 BUDGET BALANCING APPROPRIATIONS:** The FY 2020-21 appropriation adjustments in this table include reductions of \$121.8 million total funds, including a reduction of \$45.6 million General Fund, for budget balancing purposes. These actions are described individually below. This total excludes budget reductions in additional legislation and in central appropriations, with the exception of the Health, Life, and Dental adjustment that was made as an alternative to a personal services base reduction.

**ENROLLMENT/UTILIZATION TRENDS:** The appropriation includes a net increase of \$1,283.8 million, including an increase of \$392.6 million General Fund, based on the projected caseload and expenditures under current law and policy for the following programs:

- Medical Services Premiums – An increase of \$986.9 million total funds, including an increase of \$308.9 million General Fund, for medical services and long-term services and supports provided through Medicaid
- Behavioral Health – An increase of \$189.3 million total funds, including \$53.0 million General Fund, for the capitation and fee-for-service Medicaid behavioral health programs
- Children's Basic Health Plan – An increase of \$52.6 million total funds, including \$26.2 million General Fund, for children and pregnant women enrolled in the Children's Basic Health Plan
- Office of Community Living – An increase of \$40.6 million total funds, including \$20.8 million General Fund, for home- and community-based services for people with intellectual and developmental disabilities



- Medicare Modernization Act – An increase of \$8.9 million General Fund for reimbursements to the federal government for prescription drugs for people eligible for both Medicaid and Medicare
- School health services forecast – An increase of \$6.2 million total funds based on expected certified public expenditures by school districts and boards of cooperative education for public school health services
- Higher federal match – A net decrease of \$0.7 million total funds, including a decrease of \$25.3 million General Fund, because of a temporary 6.2 percent increase in the standard federal match rate for Medicaid through the federal Families First Coronavirus Relief Act.

**ELIGIBILITY/BENEFITS CHANGES:** The appropriation includes an increase of \$32.9 million total funds, including \$4.8 million General Fund, for changes in eligibility or benefits, including:

- Substance use disorder patient placement and benefit implementation – An increase of \$44.7 million total funds, including \$8.9 million General Fund, for the addition of residential and inpatient substance use disorder (SUD) treatment and medical detoxification services as a benefit beginning January 2021, as required by H.B. 18-1136 (Substance Use Disorder Treatment)
- Member copays – A decrease of \$8.8 million total funds, including \$2.1 million General Fund, for an increase in member copays that assists with budget balancing
- Healthy Communities outreach – A decrease of \$2.0 million total funds, including \$1.0 million General Fund, for a decrease in outreach and health system navigation services for new members that assists with budget balancing
- Senior dental program – A decrease of \$1.0 million General Fund for a decrease in services provided through the senior dental program that assists with budget balancing

**PROVIDER RATES:** The appropriation includes net decrease of \$35.9 million total funds, including \$7.6 million General Fund, for changes to provider rates, including:

- Annualize FY 19-20 provider rates – An increase of \$22.6 million, including \$10.8 million General Fund, to annualize provider rate increases approved in FY 2019-20, primarily for personal care and homemaker services
- A net increase of \$1.9 million total funds, including \$1.4 million General Fund, for the following targeted rate adjustments:

TARGETED RATE ADJUSTMENTS				
RATE	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	FEDERAL FUNDS
Local minimum wage adjustment	\$6,590,967	\$3,295,484	\$0	\$3,295,483
Behavioral health fee-for-service (mostly impacts RCCFs)	1,586,971	875,964	(20,264)	731,271
Habilitation in Residential Child Care Facilities	532,362	266,181	0	266,181
PACE	(5,875,559)	(2,755,638)	0	(3,119,921)
In-home dialysis	(929,537)	(292,415)	(34,471)	(602,651)
<b>TOTAL</b>	<b>\$1,905,204</b>	<b>\$1,389,576</b>	<b>(\$54,735)</b>	<b>\$570,363</b>

- Community provider rate adjustment – A decrease of \$53.1 million, including \$18.0 million General Fund, for a common policy across-the-board decrease for most community providers of 1.0 percent that assists with budget balancing. The adjustment does not apply to rates that are capitated, cost-based, or based on a methodology defined in statute or regulation, such as rates for pharmacy reimbursements, rural health centers, federally qualified health centers, home- and community-based services for children with autism, hospice care in nursing facilities, nursing reimbursements, disease management, and administrative contracts.
- Pharmacy pricing – A net decrease of \$7.4 million total funds, including \$1.7 million General Fund, for changes in the Department's drug pricing methodology that assist with budget balancing

**PHARMACY TECH AND ADMIN:** The appropriation includes \$2.5 million total funds, including \$0.8 million General Fund, for higher than expected costs related to a prescriber tool that will help providers identify the most cost effective medications based on diagnosis information. The prescriber tool is required by Section 25.5-4-422 (2)(b), C.R.S., and the Medicaid forecast assumes savings of \$5.3 million total funds, including \$1.4 million General Fund, associated with the implementation of the prescriber tool.

**CENTRALLY APPROPRIATED ITEMS:** The appropriation includes \$1.8 million total funds, including \$0.7 million General Fund, for adjustments to centrally appropriated line items for the following: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; shift differential; workers' compensation; legal services; administrative law judges; payment to risk management and property funds; Capitol complex leased space; payments to the Governor's Office of Information Technology (OIT); and CORE operations. The appropriation includes a Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction that assists with budget balancing.

**HUMAN SERVICES PROGRAMS:** The appropriation reflects adjustments for several programs that are financed wholly or in part with Medicaid funds, but operated by the Department of Human Services.

**TRANSFERS TO OTHER STATE AGENCIES:** The appropriation includes a net increase of \$199,072 total funds, including a decrease of \$7,146 General Fund, for transfers to other agencies, primarily for the Department of Public Health and Environment.

**SCHOOL HEALTH SERVICES EXPANSION:** The appropriation includes an increase of \$75,000 federal funds for administrative costs to expand the school health services that are allowed to claim a federal match through Medicaid. Current policy is limited to services included within an Individualized Education Program (IEP) or Individualized Family Service Plan (IFSP) and the expansion would include the Medicaid portion of services to the whole school population, such as health screenings. This policy change will increase reimbursements to public schools in future years.

**LEASED SPACE:** The appropriation includes \$60,862 total funds, including \$25,234 General Fund, for leased space costs at 303 E. 17<sup>th</sup> Ave., with no change in the square footage occupied by the Department.

**SAFETY NET PROVIDER PAYMENTS:** The appropriation includes a net \$0 change to move money between line items to better reflect money spent for the Colorado Indigent Care Program.

**IDD SERVICES CASH FUND REFINANCE:** The appropriation includes a decrease of \$6.7 million General Fund and a corresponding increase of cash funds from the Intellectual and Developmental Disabilities Services Cash Fund for a net zero adjustment. The change assists with budget balancing.

**CASE MANAGEMENT AND STATE-ONLY PROGRAMS:** The appropriation includes a decrease of \$367,759 General Fund with a corresponding increase of Medicaid federal funds for intellectual and developmental disability eligibility determinations.

**WORK NUMBER VERIFICATION:** The appropriation includes a net decrease of \$22.6 million total funds, including a decrease of \$3.8 million General Fund, for implementing a system that allows for automated income verification at enrollment for a portion of applications where data is available. This will reduce the number of people initially determined eligible for Medicaid and CHP+ who are later determined ineligible, as well as reduce county administrative time to verify income. The change assists with budget balancing. The appropriation assumes system implementation January 1, 2021, and the projected net savings approximately doubles in FY 2021-22 to \$46.2 million total funds, including \$7.7 million General Fund.

**RECOVERIES AND 3RD PARTY LIABILITY:** The appropriation includes a net reduction of \$12.6 million total funds, including a reduction of \$3.4 million General Fund, and an increase 4.5 FTE for initiatives to increase tort and casualty recoveries, avoid claims when a third party is liable, and use artificial intelligence to identify and recover improper payments. The change assists with budget balancing.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes a net reduction of \$9.4 million total funds, including an increase of \$25.1 million General Fund, for out-year impacts of prior year legislation and budget actions. In the following table the titles of the annualizations begin with either a bill number or the relevant fiscal year. For budget decisions made in the Long Bill, the title includes a reference to the priority number the Department used in that year for the initiative, if relevant.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUND	FTE
FY 19-20 R6 Local administration transformation	\$3,806,273	\$1,207,420	\$365,141	\$111,939	\$2,121,773	0.5
FY 20-21 Regional Center electronic health record	650,000	325,000	0	0	325,000	0.0
FY 19-20 NP CBMS-PEAK	364,321	59,446	294,318	669	9,888	0.0
FY 19-20 R15 Operational compliance and oversight	355,986	56,240	106,506	0	193,240	0.5
FY 19-20 Breast and cervical cancer cash fund	350,530	0	118,775	0	231,755	0.0
SB 15-011/SB 19-197 Pilot spinal cord alternate medicine	324,817	164,025	0	0	160,792	0.0
HB 19-1210 Local government minimum wage	297,875	148,938	0	0	148,937	0.9
SB 18-200 PERA	238,348	88,747	18,117	5,441	126,043	0.0
FY 19-20 R11 APCD True up	135,422	135,422	0	0	0	0.0
FY 18-19 12 Month contraceptive supply	118,809	2,868	42,729	0	73,212	0.0
SB 19-195 Child and youth behavioral health system	98,676	58,008	0	0	40,668	1.1
FY 19-20 NP Transfer home modification child waiver program	14,231	7,116	0	0	7,115	0.0
FY 18-19 R18 Cost allocation vendor consolidation	7,475	2,449	1,288	0	3,738	0.0
HB 19-1287 Treatment opioids and substance use disorder	7,064	2,403	1,129	0	3,532	0.2
FY 19-20 R8 Benefits and tech advisory committee	2,276	842	296	0	1,138	0.2
FY 19-20 R16 Employment first initiatives	2,079	(289,618)	291,697	0	0	0.2
HB 20-1385 Increased federal match	0	24,733,945	(24,733,945)	0	0	0.0
SB 16-192/FY 18-19 R17 Single assessment tool	(3,199,999)	(1,600,000)	0	0	(1,599,999)	0.0
HB 18-1326 Transition from institutional setting	(2,881,666)	(1,440,831)	0	0	(1,440,835)	2.1
FY 20-21 S6 Pharmacy pricing and technology	(1,799,357)	0	0	0	(1,799,357)	0.0
FY 19-20 Comprehensive waiver enrollments	(1,770,579)	2,114,711	(3,000,000)	0	(885,290)	0.0
FY 20-21 S Nursing home closure	(1,398,325)	0	(1,398,325)	0	0	0.0
FY 19-20 R10 Customer experience	(993,724)	(321,867)	(174,995)	0	(496,862)	0.2
FY 19-20 R12 Medicaid enterprise operations	(838,515)	1,031,791	(142,593)	0	(1,727,713)	0.0
FY 19-20 NP CO Choice Transitions	(443,850)	(221,925)	0	0	(221,925)	0.0
FY 19-20 R7 Payment reform hospitals	(400,150)	21,643	11,382	0	(433,175)	0.2
HB 19-1302 Cancer treatment license plate surcharge	(350,530)	0	(118,775)	0	(231,755)	0.0
FY 19-20 R14 Office of Community Living governance	(349,011)	(93,679)	0	0	(255,332)	0.1
FY 18-19 R8 Medicaid savings initiatives	(238,891)	(393,731)	666,416	(660)	(510,916)	0.0
FY 19-20 State Innovation Model	(202,434)	(202,434)	0	0	0	(1.5)
HB 19-1269 Mental health parity insurance	(188,109)	(63,957)	(30,097)	0	(94,055)	(1.0)
FY 18-19 R19 IDD Waiver consolidation	(177,000)	(88,500)	0	0	(88,500)	0.0
FY 17-18 R10/BA9 Pueblo Regional Center corrective action	(235,361)	(117,680)	0	0	(117,681)	(3.0)
HB 19-1004 Affordable health coverage option	(150,000)	(150,000)	0	0	0	0.0
SB 19-222 Individuals at risk of institutionalization	(150,000)	(51,000)	(24,000)	0	(75,000)	0.0
FY 19-20 R7 Adult LTHH/PDN clinical assessment tool	(149,920)	(74,960)	0	0	(74,960)	0.0
HB 19-1038 Dental services for pregnant women on CHP+	(149,786)	44,883	(18,806)	0	(175,863)	0.0
FY 18-19 R10 Drug cost containment	(71,710)	(22,206)	(11,649)	0	(37,855)	0.0

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUND	FTE
HB 18-1328 Redesign residential child health care waiver	(29,500)	(14,750)	0	0	(14,750)	0.0
Prior year salary survey	(373)	(1,030)	843	0	(186)	0.0
<b>Total</b>	<b>(\$9,394,608)</b>	<b>\$25,057,731</b>	<b>(\$27,734,548)</b>	<b>\$117,389</b>	<b>(\$6,835,178)</b>	<b>0.7</b>

**TEACHING HOSPITAL SUPPLEMENT:** The appropriation includes a decrease of \$4.4 million total funds, including \$1.9 million General Fund, to eliminate supplemental payments to Denver Health and the University of Colorado for graduate medical education. The change assists with budget balancing.

**PEDIATRIC HOSPITAL SUPPLEMENT:** The appropriation includes a decrease of \$2.7 million total funds, including \$1.3 million General Fund, to reduce this supplemental payment to Children's Hospital by 20 percent. The change assists with budget balancing.

**LONG-TERM CARE UTILIZATION MANAGEMENT:** The appropriation includes a net decrease of \$2.4 million, including \$1.6 million General Fund, to expand a contract for utilization management to include reviews of in-home skilled care authorizations within participant directed services. The change assists with budget balancing.

**ALL PAYER CLAIMS DATABASE:** The appropriation includes a decrease of \$1.2 million General Fund for eliminating a \$500,000 grant program that provided free access for qualifying applicants and reducing state-only support. The change assists with budget balancing.

**COMMISSION ON FAMILY MEDICINE:** The appropriation decreases support for the Commission on Family Medicine by \$1.1 million, including \$500,000 General Fund. The change assists with budget balancing.

**SBIRT:** The appropriation decreases support for grants to organizations that provide evidence-based training for health professionals statewide related to screening, brief intervention, and referral to treatment (SBIRT) for individuals at risk of substance abuse. The source of cash funds is the Marijuana Tax Cash Fund. These are grants for provider training. SBIRT is still a covered benefit for Medicaid clients. Providers are required to have training to deliver services, but the training does not need to be through this program. Providers can still pay for their own professional development. The change assists with budget balancing.

**CONVERT CONTRACTORS TO FTE:** The appropriation includes a net reduction of \$652,899 total funds, including a decrease of \$67,630 General Fund, and an increase of 10.8 FTE to convert money previously appropriated for contract services to state FTE. The change assists with budget balancing.

**OTHER:** The appropriation includes miscellaneous other changes, primarily related to fund source adjustments for tobacco revenues.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see the *Appendix A, Recent Legislation*.

# DEPARTMENT OF HIGHER EDUCATION

The Department is responsible for higher education and vocational training programs in the State. The Colorado Commission on Higher Education (Commission) serves as the central policy and coordinating board for state higher education institutions. Most financial aid programs also fall under the purview of the Commission and, for state-funded programs, are included in the higher education budget. The executive director of the Commission is the executive director of the Department and appoints the directors of College Assist and CollegeInvest, which are both statutorily authorized state enterprises with responsibilities related to student loans and college savings programs. In addition, the Department administers various state and federal programs designed to promote higher education participation and success.

The College Opportunity Fund Program provides stipends for undergraduate resident students to attend public colleges and participating private colleges in Colorado. Statute also provides for appropriations for fee-for-service contracts with public higher education institutions for educational services not covered by the stipends. These contracts support institutional roles and missions, student outcomes, and specialty programs such as medical and veterinary schools. Tuition, stipend, and fee-for-service spending authority for public higher education institutions is provided in the Governing Boards section.

The Division of Occupational Education oversees Colorado Vocational Act programs, including support for the area technical colleges (previously known as area vocational schools), federal Perkins technical training programs, and resources for the promotion of job development, training, and retraining supported through state and federal funds.

The Department also includes: state subsidies for local district colleges; History Colorado; and the Auraria Higher Education Center, which maintains the single shared campus of the Community College of Denver, Metropolitan State College of Denver, and the University of Colorado at Denver.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund <sup>1,2</sup>	\$894,907,900	\$1,003,593,739	\$1,111,529,895	\$604,518,340
Cash Funds	2,637,471,193	2,739,337,662	2,822,976,639	2,901,671,594
Reappropriated Funds	738,374,874	819,590,900	901,199,179	431,676,885
Federal Funds	22,641,490	22,785,619	475,835,590	25,850,476
<b>TOTAL FUNDS</b>	<b>\$4,293,395,457</b>	<b>\$4,585,307,920</b>	<b>\$5,311,541,303</b>	<b>\$3,963,717,295</b>
Full Time Equiv. Staff	25,087.2	26,150.0	26,304.0	26,733.3

<sup>1</sup>Includes General Fund Exempt.

<sup>2</sup>Includes appropriations from the CARE subfund in the General Fund for FY 2019-20.

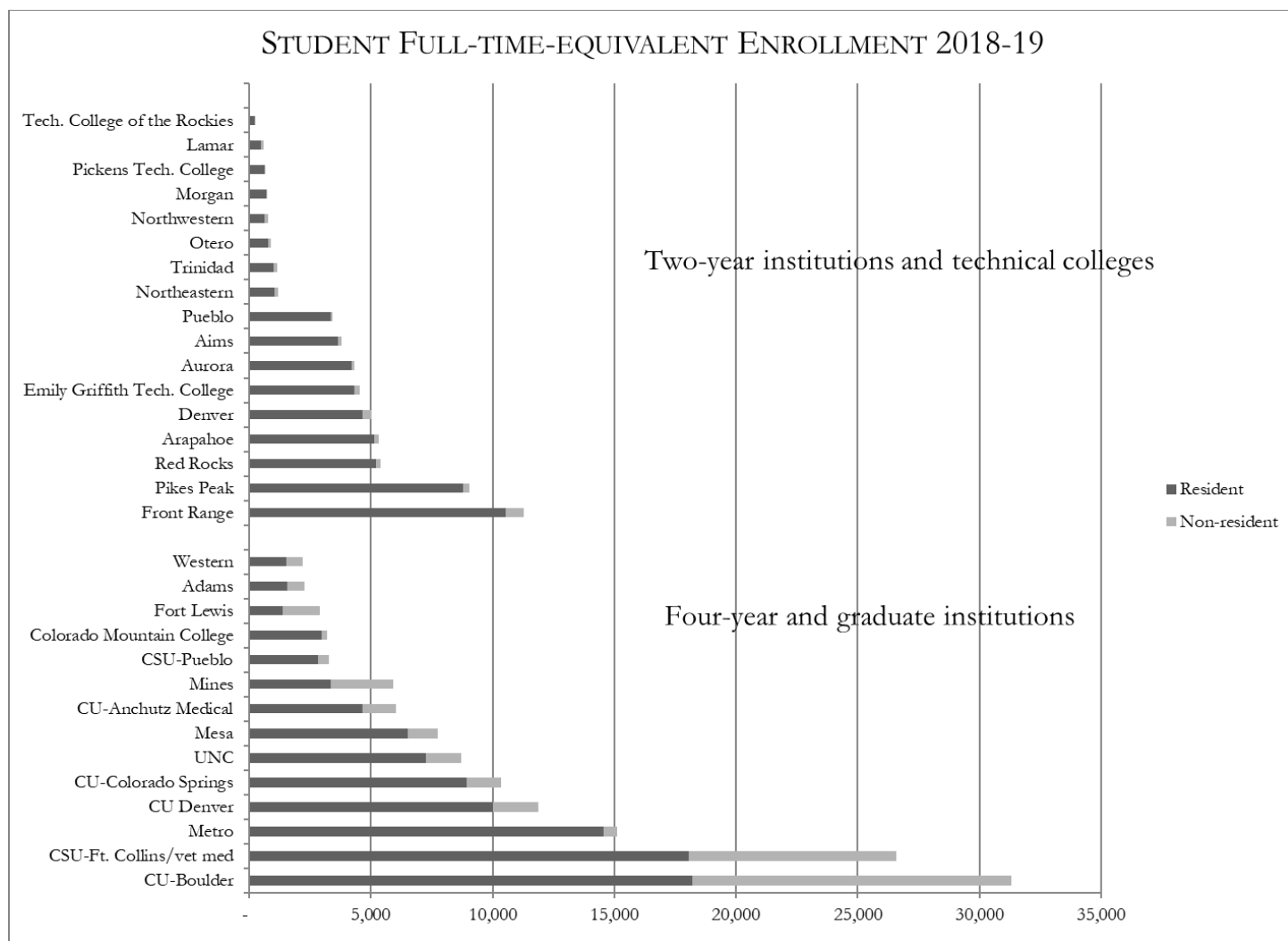
## GENERAL FACTORS DRIVING THE BUDGET

Funding for this department consists of 15.3 percent General Fund, 73.2 percent cash funds, 10.9 percent reappropriated funds, and 0.7 percent federal funds. Some of the major factors driving the Department's budget are discussed below.

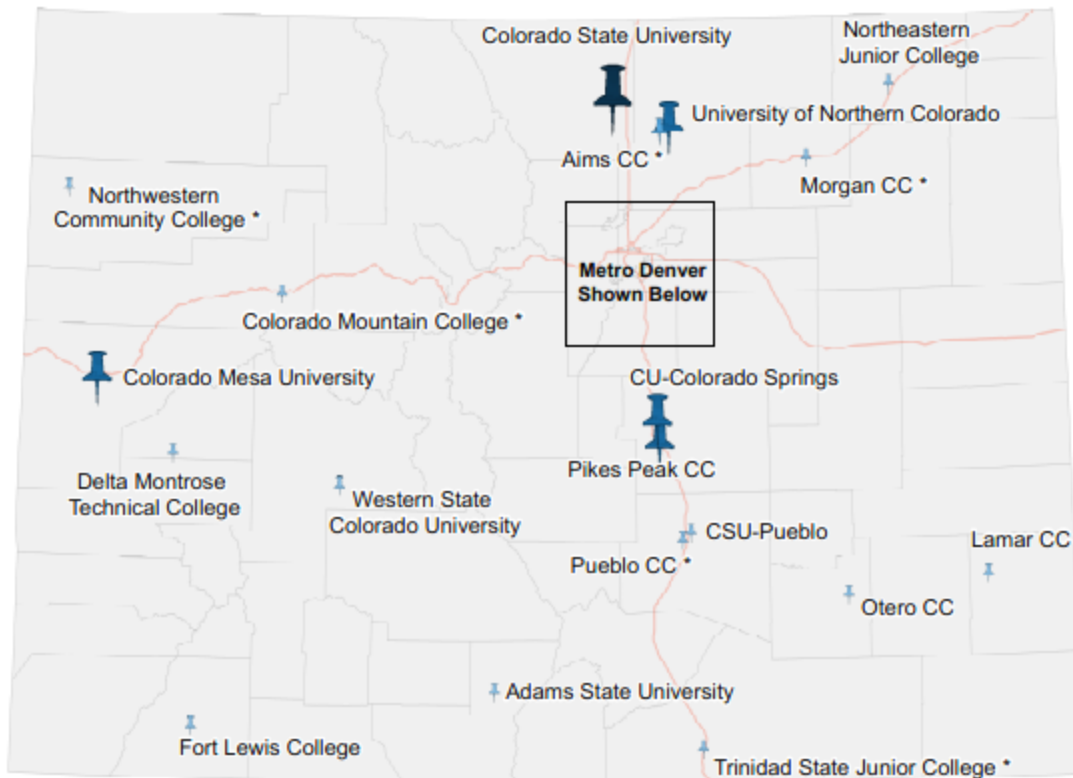
## OVERVIEW AND ORGANIZATION

The public higher education system served 195,610 full-time equivalent students (FTE) in FY 2018-19, including 156,953 Colorado residents, in 31 institutions. Of the total, 183,231 students attended one of the 27 institutions overseen by 10 state governing boards. The remaining 12,379 student FTE attended local district colleges, which receive regional property tax revenues in addition to state funding, or area technical colleges (TC), which offer occupational certificates and serve both secondary and post-secondary students. Approximately one-third of student FTE attend two-year and certificate institutions. Students attending institutions that offer baccalaureate and higher degrees are concentrated at the University of Colorado, Colorado State University, and Metropolitan State University of Denver.

The Colorado Commission on Higher Education (Commission) coordinates the higher education delivery system, including requests for state funding. However, each institution has a governing board that makes policy and budget decisions for the institution.

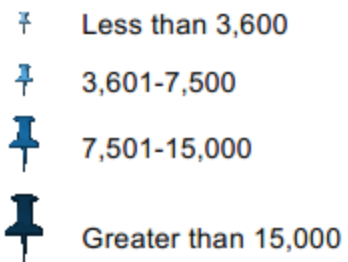


## Colorado Public Higher Education Institutions



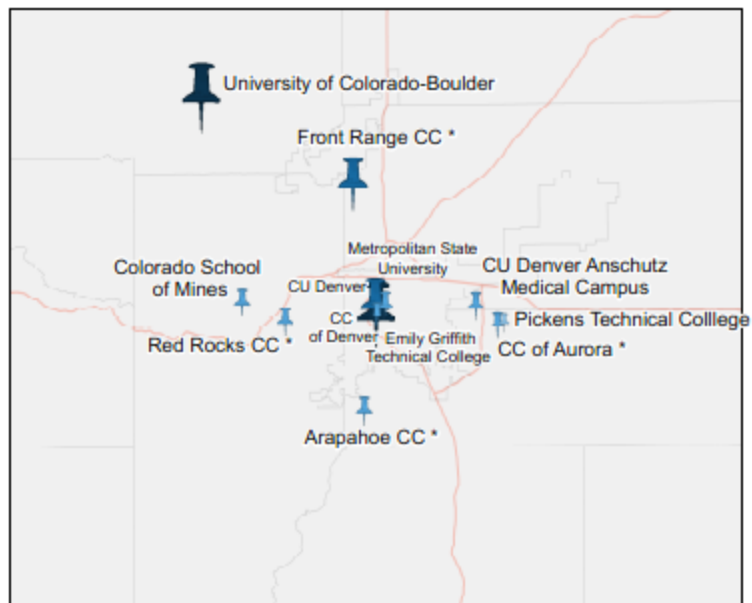
### Metro Denver

#### Student FTE Served, FY 2018-19



\* This institution has additional campuses that are not reflected on the map. The size of the symbol at the primary location is based on total student FTE for the institution, including all campuses.

Source: Joint Budget Committee Staff

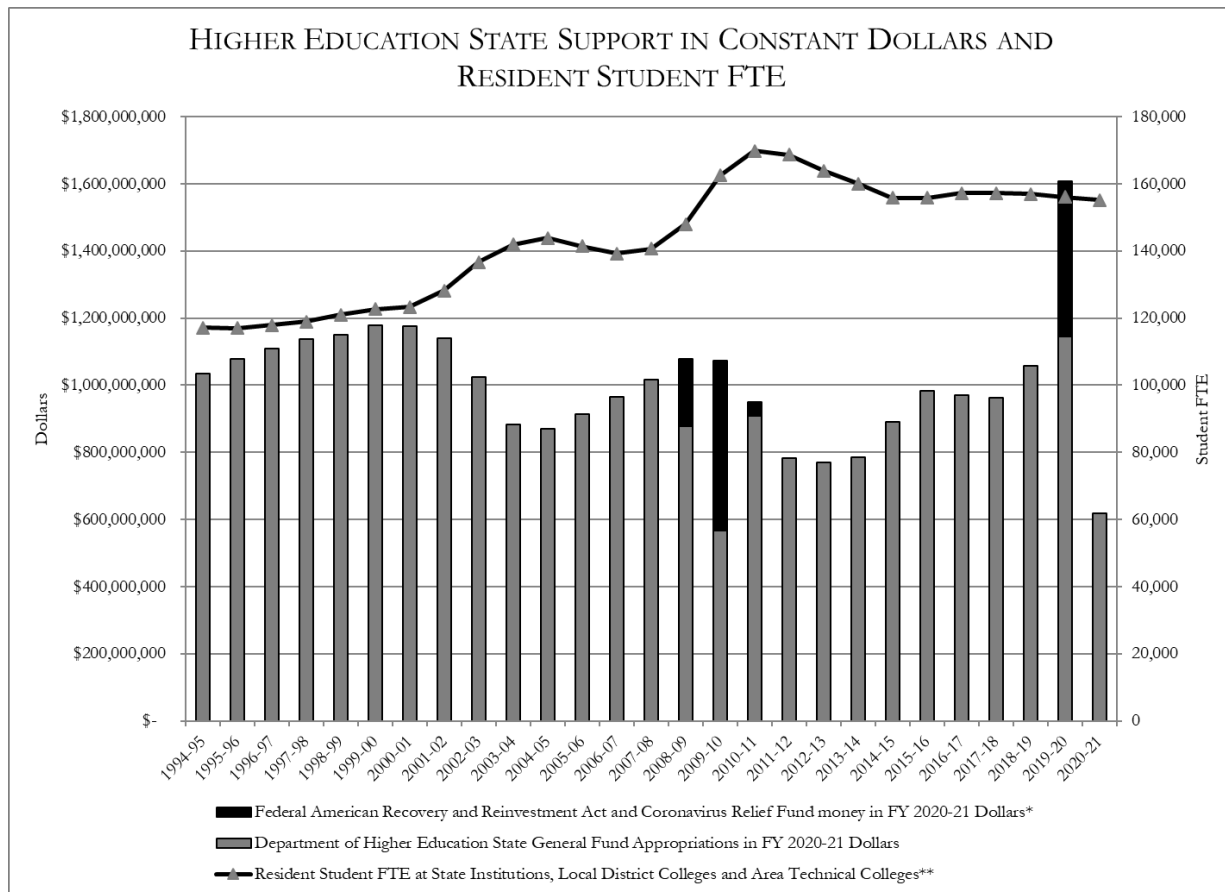


## IMPACT OF THE STATEWIDE BUDGET OUTLOOK

The State has historically subsidized higher education at state institutions based on the public benefits of providing educational access to all citizens and promoting a more educated population. An educated population is associated with higher wages, lower unemployment, and lower dependence on public resources. Higher education may also be part of strategies to fill unmet needs in the community, such as nurses or teachers or engineers. Finally, subsidizing higher education is frequently described as a form of economic development for the community, as it attracts business and cultural resources.

While there are many potential benefits to supporting higher education, there are no statutes, constitutional provisions, or federal guidelines requiring specific amounts of state funding per student. As a result, this is one of the budget areas most affected by the availability of state funds.

The chart below shows how statewide General Fund support for higher education has declined during economic downturns and rebounded under stronger economic conditions. General Fund appropriations for higher education were cut sharply for FY 2020-21, in response to the COVID-19 pandemic and associated declines in available state revenue. As shown in the chart, appropriations were also reduced in response to recessions in FY 2002-03 through FY 2004-05 and FY 2008-09 through FY 2011-12. The reductions to higher education have typically been disproportionate compared to reductions to other state agencies. Typically, as the economy and state revenues have improved, the General Assembly has increased funding. Historically, student demand for higher education is higher during recessions and lower as the economy improves; however, it is still unclear how the COVID-19 pandemic will affect enrollment.



\* Coronavirus Relief Fund amounts were allocated by the Governor and are available through December 30, 2020 for specified purposes.

\*\* Resident student FTE for years prior to FY 2008-09 include only state institution and local district college FTE. Beginning with FY 2008-09, FTE figures also include area technical college FTE. Resident student FTE for FY 2019-20 and FY 2020-21 reflect estimates used for budgeting.



For FY 2019-20, the Governor allocated \$450.0 million from the State's share of federal Coronavirus Relief Fund money to higher education institutions. These funds are shown for informational purposes in FY 2019-20 and may be used through December 30, 2020 for qualifying purposes. For FY 2020-21, the General Assembly reduced state General Fund appropriations for public higher education institutions by 58.0 percent. A footnote indicates that 95 percent of this reduction is intended to be one-time only. The previous two years incorporated significant funding increases. For FY 2018-19, the General Assembly provided a 12.1 percent General Fund increase for higher education. For FY 2019-20, the General Assembly provided a 10.9 percent General Fund increase for higher education, bringing funding above the previous FY 2008-09 peak, even after adjusting for inflation.

The table below shows the allocation of the overall adjustment in General Fund support by governing board and funding category in FY 2019-20 and FY 2020-21, as well as the federal Coronavirus Relief Fund federal funds allocated by the governor and reflected in the Long Bill for informational purposes for FY 2019-20.

DEPARTMENT OF HIGHER EDUCATION OPERATING BUDGET: GENERAL FUND APPROPRIATIONS <sup>1</sup> CHANGES BY CATEGORY AND GOVERNING BOARD FY 2019-20 to FY 2020-21					CORONAVIRUS RELIEF FEDERAL FUNDS
	FY 2019-20	FY 2020-21	AMOUNT CHANGE	PERCENTAGE CHANGE	FY 2019-20
Adams State University	\$17,280,257	\$7,257,708	(\$10,022,549)	(58.0%)	\$9,144,890
Colorado Mesa University	32,484,959	13,700,035	(18,784,924)	(57.8%)	17,032,611
Metropolitan State University of Denver	63,969,142	26,923,391	(37,045,751)	(57.9%)	33,694,364
Western Colorado University	15,235,379	6,436,427	(8,798,952)	(57.8%)	7,956,877
Colorado State University System	172,378,536	72,628,333	(99,750,203)	(57.9%)	90,404,048
Fort Lewis College	14,136,437	5,937,304	(8,199,133)	(58.0%)	7,481,148
University of Colorado System	244,873,926	101,157,248	(143,716,678)	(58.7%)	127,737,562
Colorado School of Mines	25,371,265	10,655,931	(14,715,334)	(58.0%)	13,426,734
University of Northern Colorado	47,079,464	19,816,875	(27,262,589)	(57.9%)	24,875,245
Community College System	190,447,695	80,192,920	(110,254,775)	(57.9%)	100,478,897
Colorado Mountain College	9,010,042	3,784,218	(5,225,824)	(58.0%)	4,768,207
Aims Community College	10,653,783	4,474,589	(6,179,194)	(58.0%)	5,638,091
Area Technical Colleges	13,910,021	5,842,209	(8,067,812)	(58.0%)	7,361,326
<b>Subtotal - Governing Boards/Institutions</b>	<b>\$856,830,906</b>	<b>\$358,807,188</b>	<b>(\$498,023,718)</b>	<b>(58.1%)</b>	<b>\$450,000,000</b>
Financial Aid	219,788,594	214,320,698	(5,467,896)	(2.5%)	0
Lease Purchase Payments/Capital-related for HED Buildings	26,030,291	24,586,951	(1,443,340)	(5.5%)	0
History Colorado	2,830,198	2,280,206	(549,992)	(19.4%)	0
Other	6,049,906	4,523,297	(1,526,609)	(25.2%)	0
<b>TOTAL</b>	<b>\$1,111,529,895</b>	<b>\$604,518,340</b>	<b>(\$507,011,555)</b>	<b>(45.6%)</b>	<b>\$450,000,000</b>

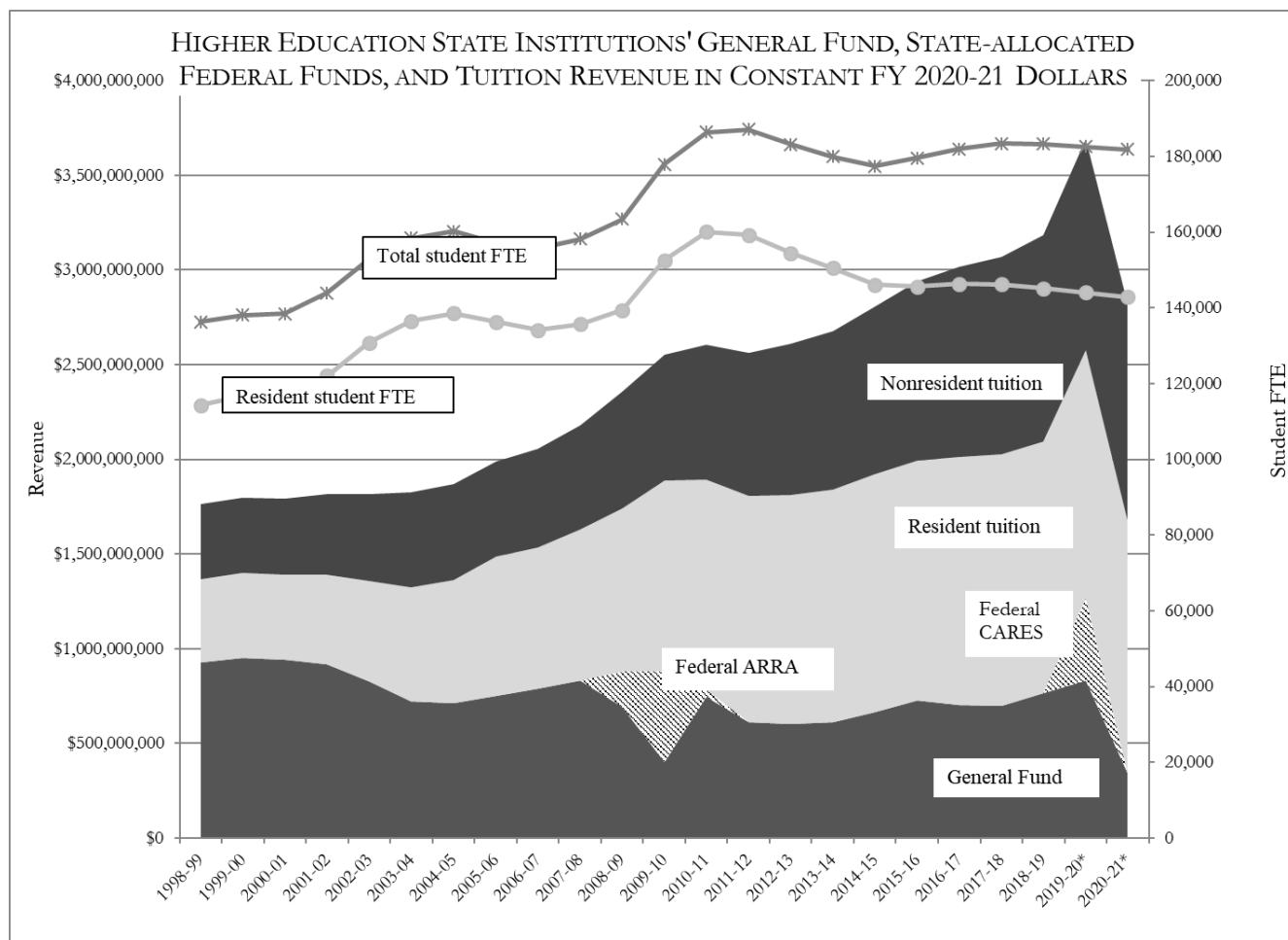
<sup>1</sup> Includes College Opportunity Fund stipends, fee-for-service contracts, and grants to local district colleges and area technical colleges in all enacted bills.

In past recessions, the General Assembly has expected increased tuition payments to help compensate for reduced state support. Colorado has always expected that individuals and families who benefit from higher education will bear at least some portion of the cost. Policymakers differ in the extent to which they believe higher education should be an individual versus a public responsibility. However, because state funds are limited and tuition increases are feasible, Colorado and other states have historically addressed state budget constraints by increasing the share of higher education costs borne by individuals and families.

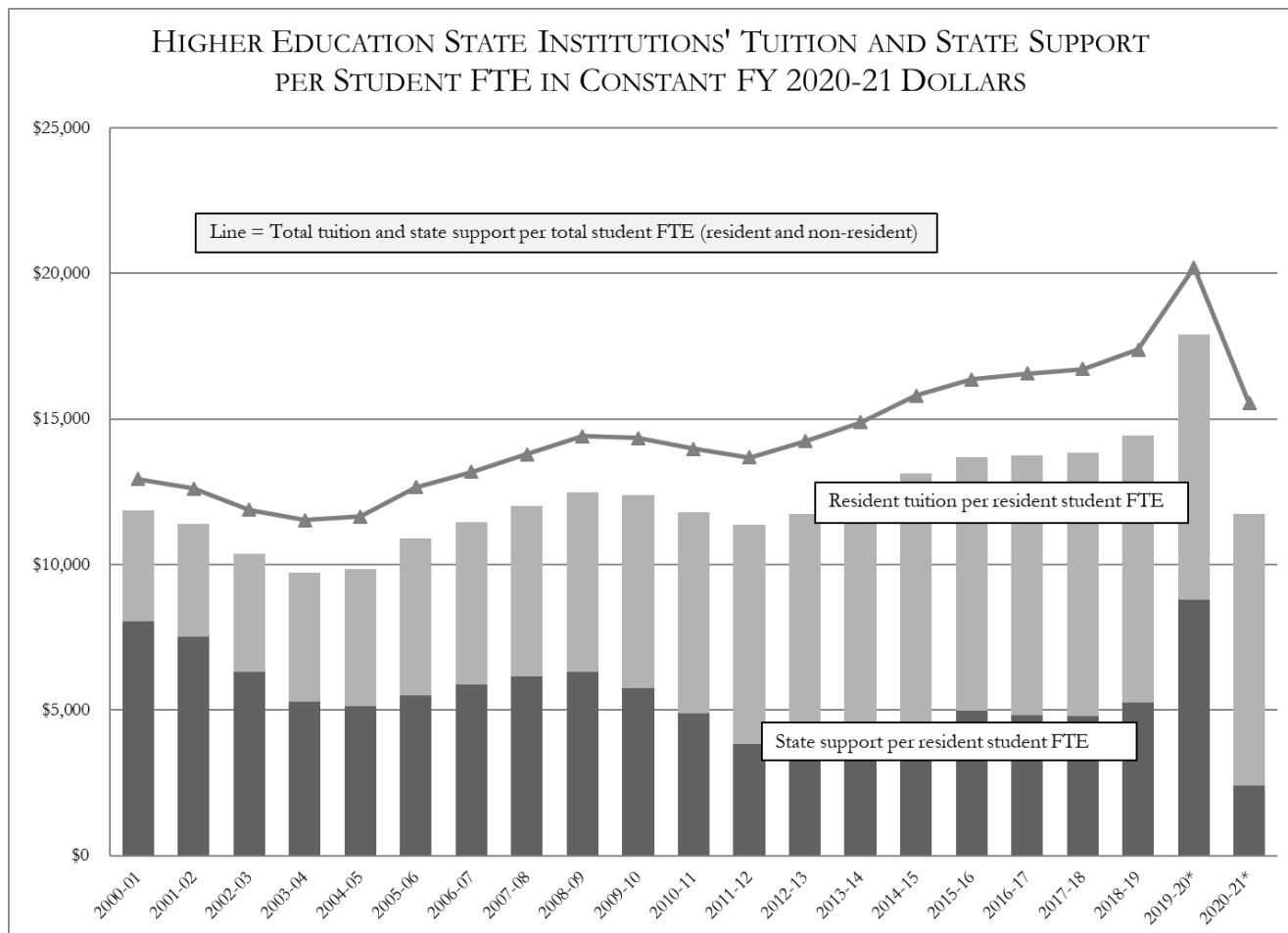
The State's response to the COVID-19 pandemic has been different thus far. For FY 2020-21, the General Assembly and Governor have restricted tuition increases to 3.0 percent for undergraduate resident students, and almost all institutions have kept their tuition flat for FY 2020-21. Public higher education tuition is already relatively high, and institutions and legislators are uncertain whether further increases will suppress enrollment. While higher unemployment usually results in increases in postsecondary enrollment, it is still unclear whether this pattern will hold for FY 2020-21. Due to the pandemic, institutions are expected to move a significant portion of instruction on-line, and they are uncertain of how this will affect enrollment and the perceived value of their programs.

The charts below illustrate how tuition, as well as federal funds, have augmented General Fund revenues for the higher education institutions over time on a per-student basis. As shown, based on actual revenue, tuition revenue increases more than compensated for declines in General Fund support through FY 2018-19.

For FY 2019-20 and FY 2020-21, the amounts shown below are appropriations, rather than actual expenditures, and actual expenditures will differ. General Fund amounts are unlikely to change. However the Governor’s decision to allocate federal Coronavirus Relief Funds for higher education provides a spike in appropriations in FY 2019-20, but some of these funds will be spent in FY 2020-21, as the funds are available through December 30, 2020. In addition, tuition estimates were developed prior to the pandemic, and there is great uncertainty about higher education tuition revenue for FY 2020-21.



\* FY 2019-20 and FY 2020-21 tuition revenue, federal CARES spending, and student FTE reflect estimates used for budgeting purposes.



\* FY 2019-20 and FY 2020-21 tuition revenue, federal CARES spending, and student FTE reflect allocations and estimates used for budgeting purposes.

## TUITION AND FEES

Tuition and fee rates have a significant impact on public access to higher education: high rates may discourage participation or may result in high debt loads for those who do participate. Nonetheless, Colorado and other states have often used tuition increases to substitute for higher education General Fund support due to the multiple demands on state General Fund revenue. The decline in state support per student FTE over the last two decades explains most, but not all, tuition increases through FY 2019-20.

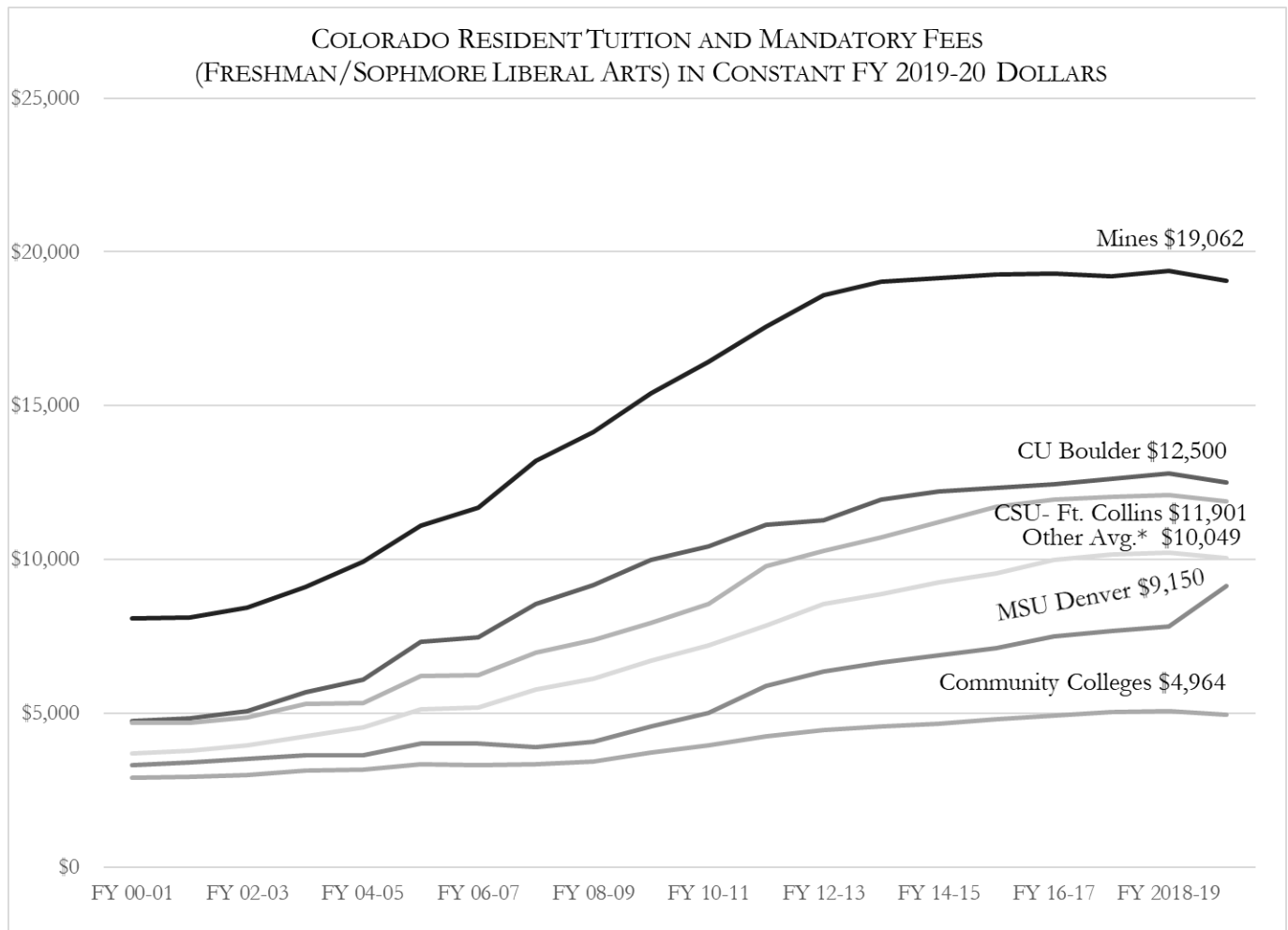
The General Assembly has provided more flexibility for institutions to increase tuition revenue in times of state General Fund cuts and has restricted tuition growth when more state revenue is available for higher education.

- Prior to FY 2011-12, the General Assembly appropriated tuition revenue to the institutions and set forth its assumptions about tuition increases in a Long Bill footnote.
- For the five-year period from FY 2011-12 through FY 2015-16, the General Assembly delegated tuition-setting authority to the higher education governing boards within specified statutory limits. From FY 2011-12 through FY 2013-14, governing boards could increase resident undergraduate tuition rates up to 9.0 percent per year, and could submit a plan to ensure access and affordable tuition for low- and middle-income students to the Commission for permission to implement larger rate increases. In FY 2014-15 and FY 2015-16, the General Assembly paired increases in state funding with a 6.0 percent "hard" cap on undergraduate resident tuition increases.
- Beginning in FY 2016-17, the General Assembly again began to appropriate tuition and set limits on tuition through the Long Bill for all institutions except the Colorado School of Mines [Sections 23-1-104 (1)(b) and 23-41-104.6 (5)(c)(I)(A), C.R.S.]. The tuition increases used to derive the total spending authority for each governing

board are detailed in a footnote to the Long Bill [Section 23-18-202 (3)(b)(I), C.R.S.]. The General Assembly typically imposes higher or lower limits on resident undergraduate tuition increases based on the General Fund appropriations authorized for the year. Specific limits may differ by institution.

- For FY 2020-21, Long Bill footnotes and tuition spending authority restrict resident undergraduate tuition to an increase of 3.0 percent; however, most higher education institutions have indicated that they will be keeping tuition flat.

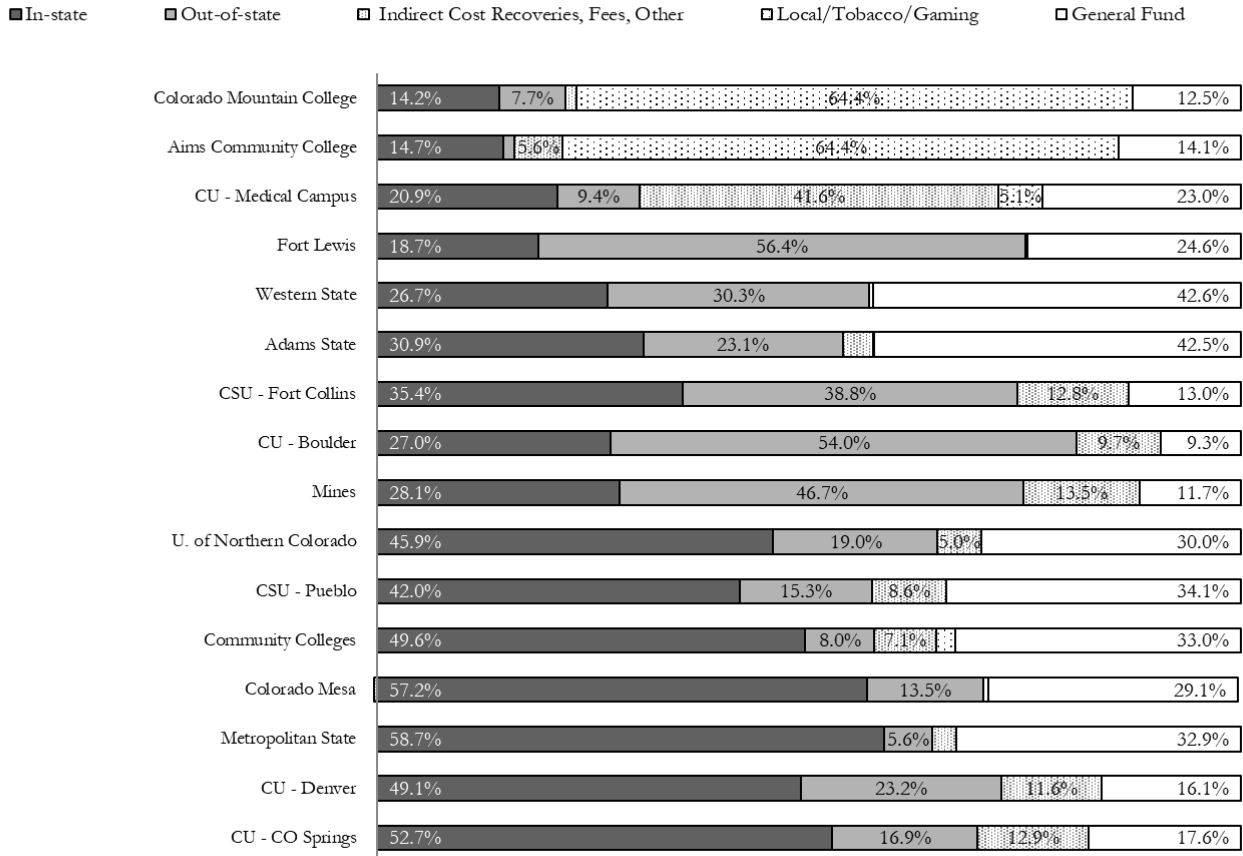
The chart below shows the growth in tuition and fee rates through FY 2019-20. All rates are for students who are full-time (30 credit hours per year), beginning their studies, Colorado resident, undergraduate, and taking liberal arts and sciences courses. The amounts for prior years are shown *after* adjusting for inflation (FY 2019-20 dollars).



\*CSU-Pueblo, Fort Lewis College, University of Northern Colorado, Adams State University, Colorado Mesa University, Western Colorado University

Institutions have different abilities to bring in out-of-state student tuition revenue or to raise tuition above that of other institutions based upon their individual missions and the populations they serve. The chart below compares the revenue mix at various state institutions for educational expenditures reported to the General Assembly in FY 2018-19. Note that this excludes revenue and expenditures for research grants and auxiliary facilities such as dormitories and dining halls.

## PROPORTION OF FUNDING FROM STUDENTS VS THE STATE FY 2018-19

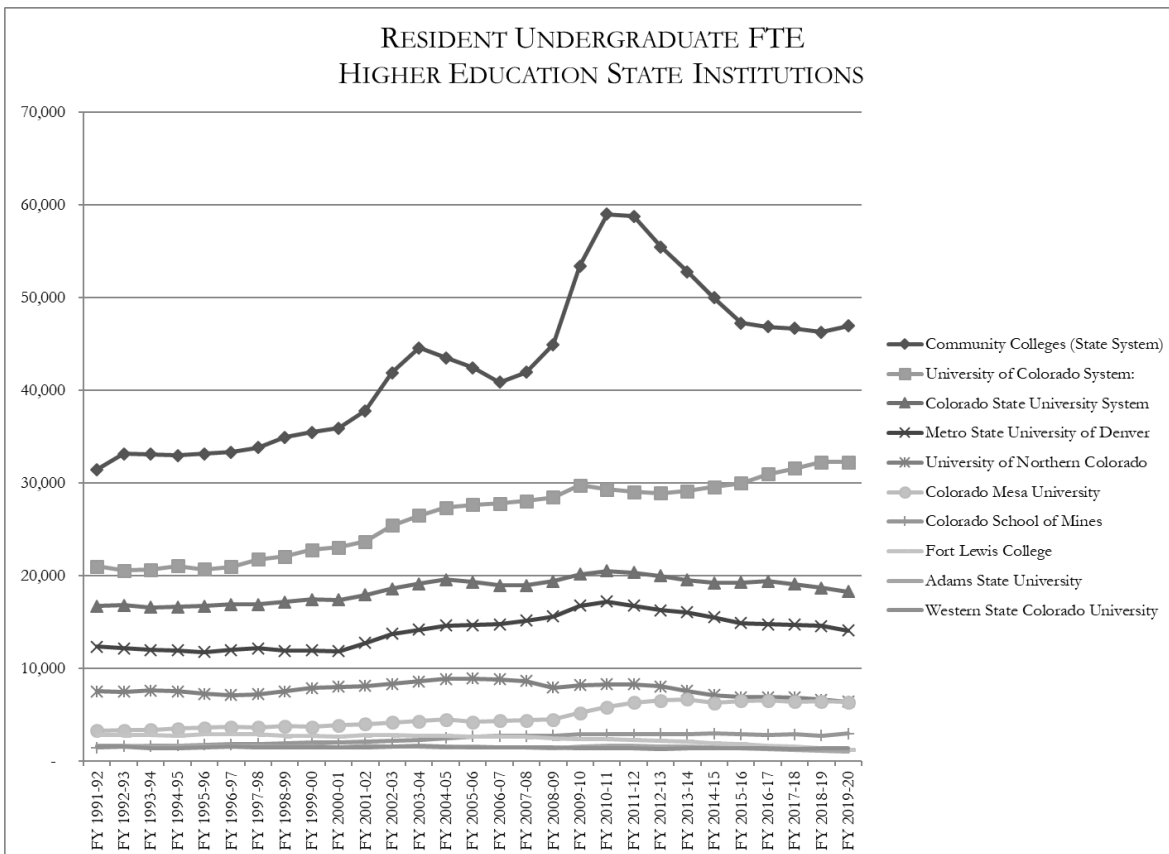
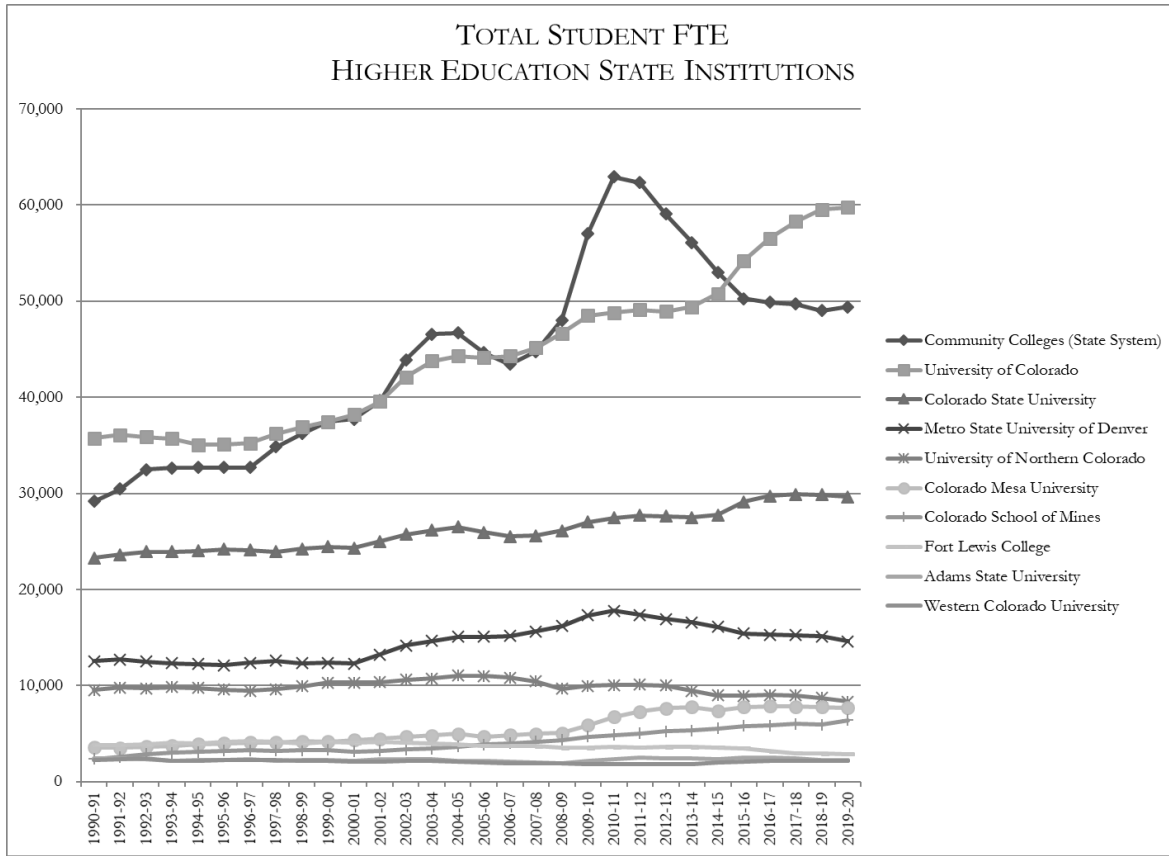


## ENROLLMENT

Enrollment is both a workload and performance measure for campuses, and it affects tuition and fee revenue, as well as state support. For some institutions, nonresident enrollment is important because nonresident tuition helps subsidize resident education. Increases in enrollment also drive costs for faculty, advising, and general operating.

Enrollment has historically been counter-cyclical: when the economy slows, higher education enrollment usually grows more rapidly. This affects most institutions to some extent but is particularly notable for the community college system.

It is unclear how the COVID-19 pandemic will affect enrollment. The following charts report student FTE from FY 1991-92 through FY 2019-20 (excluding local district college and area technical college data). Thirty credit hours in a year equals one full-time-equivalent student for undergraduates. In FY 2015-16, total student FTE enrollment increased for the first time since FY 2011-12, but there was wide variation in the enrollment trend by institution. The charts below show: (1) total FTE by institution, including residents, non-residents, undergraduate, and graduate students; and (2) resident undergraduate FTE by institution. As of FY 2019-20, the University of Colorado System served more students in total than any other governing board, but the community college system served by far the largest share of resident undergraduate students.



## PERSONNEL

Higher education governing boards are allowed by statute to determine the number of employees they need, but the Long Bill reflects estimates provided by the governing boards of the numbers of employees at their institutions. In FY 2019-20, the state institutions, including the Auraria Higher Education Center, expected to employ an estimated 26,493.0 FTE, excluding employees of self-supporting auxiliary programs such as food services, bookstores, or housing. The final figure for the fiscal year is likely to be somewhat lower, due to the pandemic, but higher education will remain the largest employer of state FTE by a wide margin.

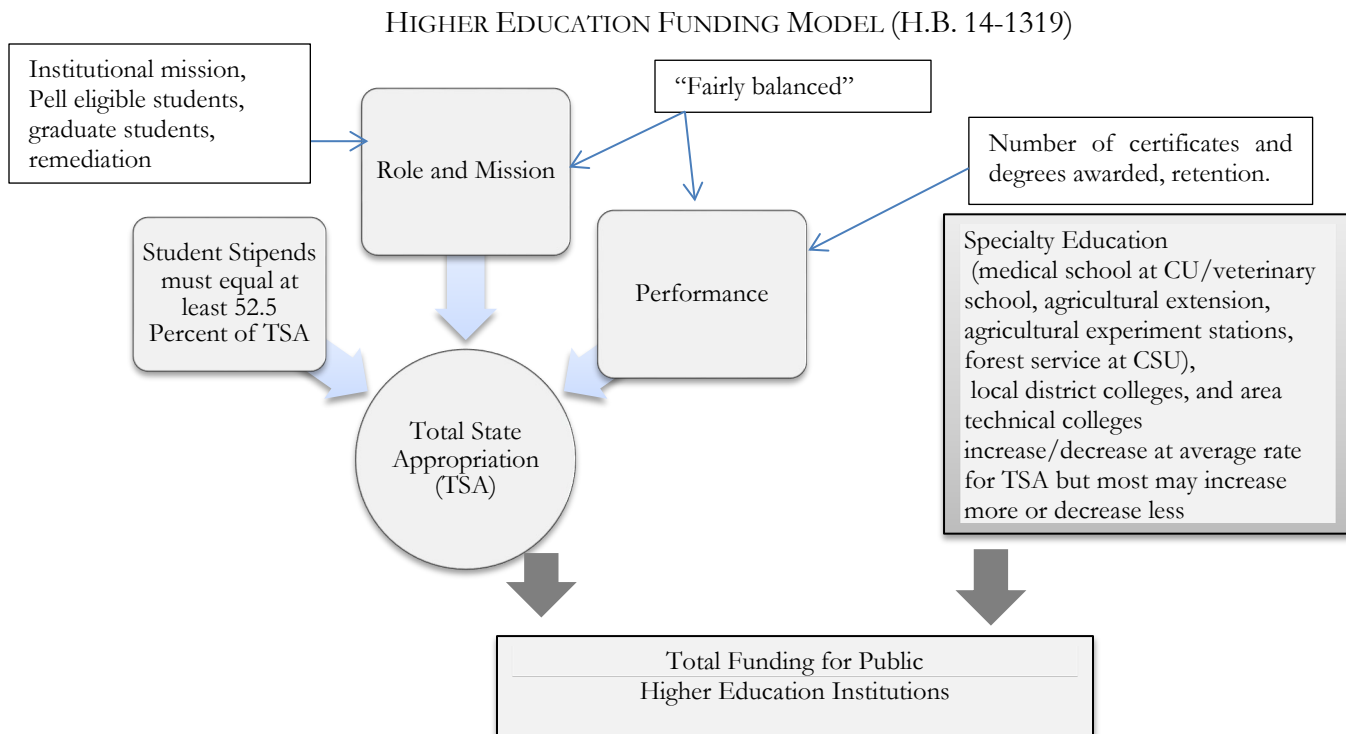
Of the amount state-operated institutions spend on education, approximately two-thirds is spent on salaries and benefits, and most of this is spent on instructional faculty. Some higher education FTE such as administrative support and maintenance staff, are classified staff for whom salaries and benefits are defined by the state personnel system and the policies of the General Assembly. However, the majority of FTE and personal services expenditures are for exempt staff such as faculty for whom governing boards have control of compensation.

Increases in benefit costs have been a consistent cost driver at state institutions. Staff salary trends, however, have varied by institution in response to a range of internal and external factors.

- Four-year institutions that employ tenure-track faculty in high-demand fields have typically felt the need to offer compensation to professors competitive with peer institutions in other states and, in some cases, the private sector. However, this pressure is not consistent across all academic fields. At two-year institutions, the vast majority of staff are adjunct faculty who carry part-time teaching loads and receive modest compensation.
- During previous recessions when institutions faced enrollment increases and state funding cuts, both 4-year and 2-year institutions increased the number of lower-paid, often part-time staff, thus reducing average compensation costs.
- In years when the economy has been stronger and state funding has increased, institutions have faced pressure from their employees to improve compensation and have often done so.
- Currently, in response to the COVID-19 pandemic, many institutions are imposing significant salary reductions on both faculty and staff as they prepare for budget shortfalls.

## THE HIGHER EDUCATION FUNDING MODEL

**HOUSE BILL 14-1319:** From FY 2015-16 through FY 2020-21, funding for higher education is based on the provisions of H.B. 14-1319 (Outcomes-based Funding for Higher Education). The chart below outlines the key components of the model.



The H.B. 14-1319 model is significantly affected by enrollment, and the General Assembly has therefore adjusted it repeatedly over the years to better support institutions facing declining enrollment. Dissatisfaction with this pattern led the General Assembly to adopt a new model in the 2020 legislative session that will take effect for FY 2021-22.

**HOUSE BILL 20-1366:** The bill creates a new funding model beginning in FY 2021-22 that includes new provisions for calculating fee-for-service contracts for institutions and makes related changes to the calculation of state funding to support specialty education programs, area technical colleges, and local district colleges.

*COMPONENTS OF THE NEW MODEL:* Under the new funding model, fee-for-service contracts for institutions are based on 3 components:

- Part 1: Ongoing additional funding;
- Part 2: Performance funding; and
- Part 3: Temporary additional funding.

**Ongoing additional funding** is base building and may be awarded to an institution to make progress toward the commission's higher education master plan goals. The bill includes a formula that may be used to recognize an institution's additional costs associated with educating and providing services to first-generation undergraduate students. Other mechanisms for distributing ongoing additional funding may also be used.

**Performance funding** is calculated based on an institution's change over time in performance on each performance funding metric compared to other institutions' change in performance and adjusted based on each institution's share of funding in the previous state fiscal year.

The performance funding metrics include:



- Resident student full-time equivalent enrollment;
- Credential completion;
- Resident Pell-eligible student population share;
- Resident underrepresented minority student population share;
- Retention rate;
- One-hundred-percent-of-time graduation rate;
- One-hundred-fifty-percent-of-time graduation rate; and
- Resident first-generation undergraduate student population share.

The Joint Budget Committee determines the amount of funding allocated to each performance funding metric for a fiscal year after considering recommendations from the commission and department that are developed in collaboration with the institutions.

**Temporary additional funding**, which is not base building, may be awarded to an institution for a specified period of time to address Commission master plan goals or other areas the commission identifies.

*SPECIAL PROGRAMS:* Under current law and the new model, minimum funding for specialty education programs, local district colleges, and area technical colleges provided pursuant to Section 23-18-304, Colorado Revised Statutes, is based on their previous year's funding, increased or decreased by the average percentage change in state funding for all institutions. However, the bill modifies how this is calculated so that it does not include amounts newly awarded to institutions for ongoing additional funding or temporary additional funding.

*PROCESS:* The Colorado Commission on Higher Education, in conjunction with the Department of Higher Education and in collaboration with the institutions, is required to make funding recommendations to the Joint Budget Committee for these components as part of the annual budget request process, beginning in November 2020. The Joint Budget Committee may adjust the amounts allocated through the various portions of the model and determines the amount allocated to each performance funding metric. The Joint Budget Committee uses this to develop the higher education funding in the Long Bill.

*FUTURE:* By July 1, 2022, the Commission, in conjunction with the department and in collaboration with the institutions, must identify and make recommendations to the Joint Budget Committee concerning ways to better measure success for students who are not first-time, full-time students. This may include a recommendation for a statutory change to the calculation of one of the graduation rate performance funding metrics. The overall model is reviewed every five years.

**TABOR IMPACT:** Since 2004, funding for state higher education has been provided through student stipends and fee-for-service contracts with the state institutions. This enables the State to designate qualifying state higher education institutions as enterprises under Section 20 of Article X of the Colorado Constitution (TABOR). Revenue, such as tuition, that is generated by enterprises is exempt from the statewide revenue limits imposed by TABOR and has no impact on any refund that may be due pursuant to TABOR. To achieve enterprise status under TABOR, a program must: (1) be a government-owned business; (2) have authority to issue revenue bonds; and (3) receive less than 10 percent of annual revenue from state and local grants. Stipends and fee-for-service contracts are defined in statute as different from a state grant. All of the institutions are designated as TABOR enterprises, although some smaller institutions may temporarily lose this status in years in which they receive large state capital construction grants. The new H.B. 20-1366 funding model does not change this.

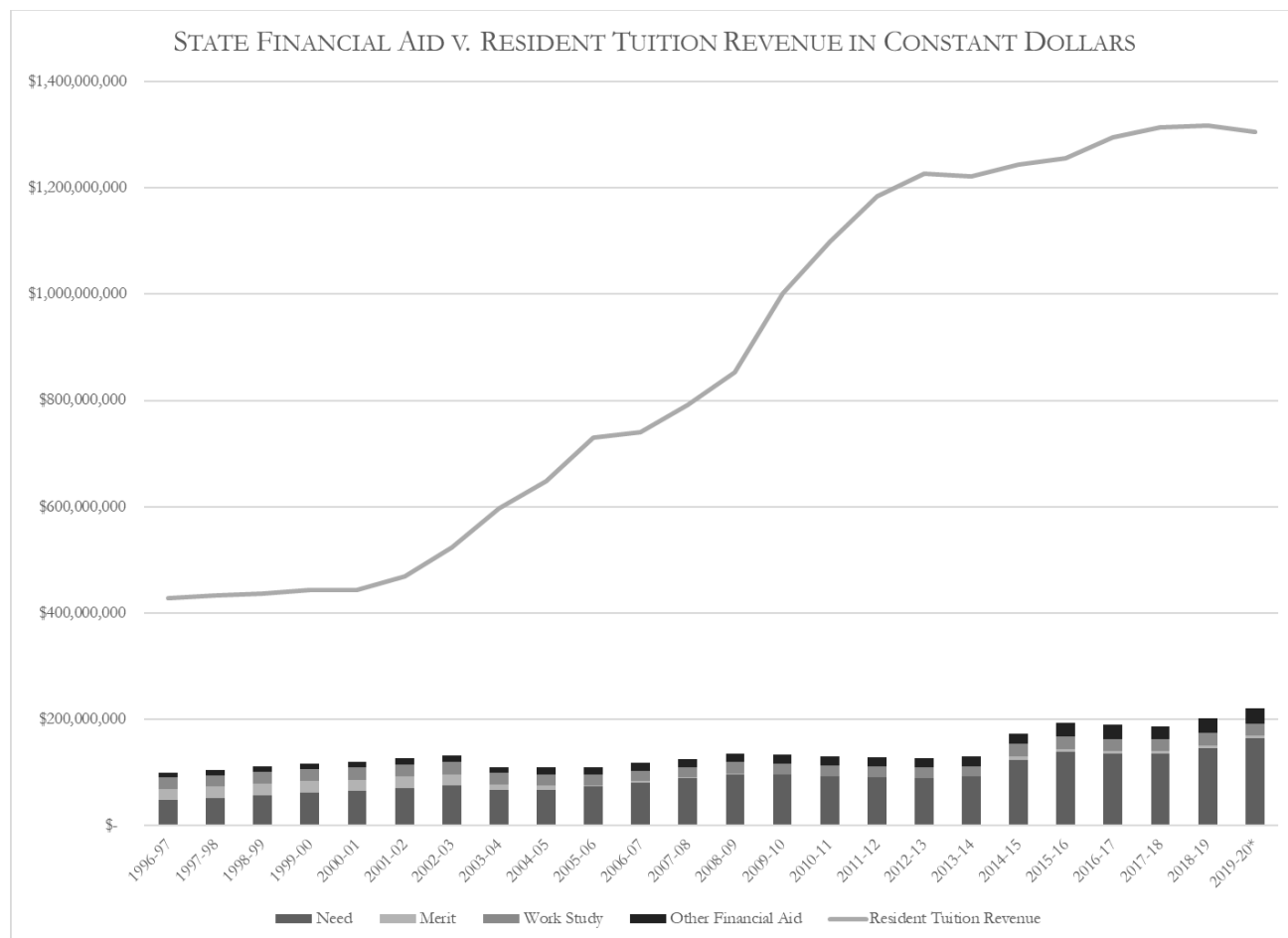
## FINANCIAL AID

Of state appropriations for higher education in FY 2020-21, \$215.6 million total funds, including \$214.3 million General Fund, is for financial aid. In recent years financial aid has been about 20.0 percent of state higher education General Fund appropriations. However, for FY 2020-21, it represents 35.5 percent, due to the sharp reduction in

other higher education General Fund appropriations. The majority of the money goes for need-based aid and work-study. There are also a number of smaller, special purpose financial aid programs. These include the Fort Lewis College Native American tuition waiver, which covers tuition for any Native American student attending Fort Lewis College pursuant to a treaty obligation, and the Colorado Opportunity Scholarship Initiative, which funds services and scholarships for high achieving low-income students in collaboration with private funders and agencies. For FY 2020-21 some special purpose programs were reduced, including a \$5.0 million Merit Based Aid appropriation which was eliminated. However, core Need Based Aid and Work Study appropriations were not reduced.

For most of the financial aid programs, the General Assembly appropriates state financial aid funds to the Colorado Commission on Higher Education, which allocates them to institutions, including to some private institutions, based on formulas that consider financial need at the schools, total student enrollment, student retention, and program eligibility criteria. A total of 71,313 students received state-supported financial aid in FY 2018-19. The average state need-based award was \$2,308 and the average state work-study award was \$2,888.

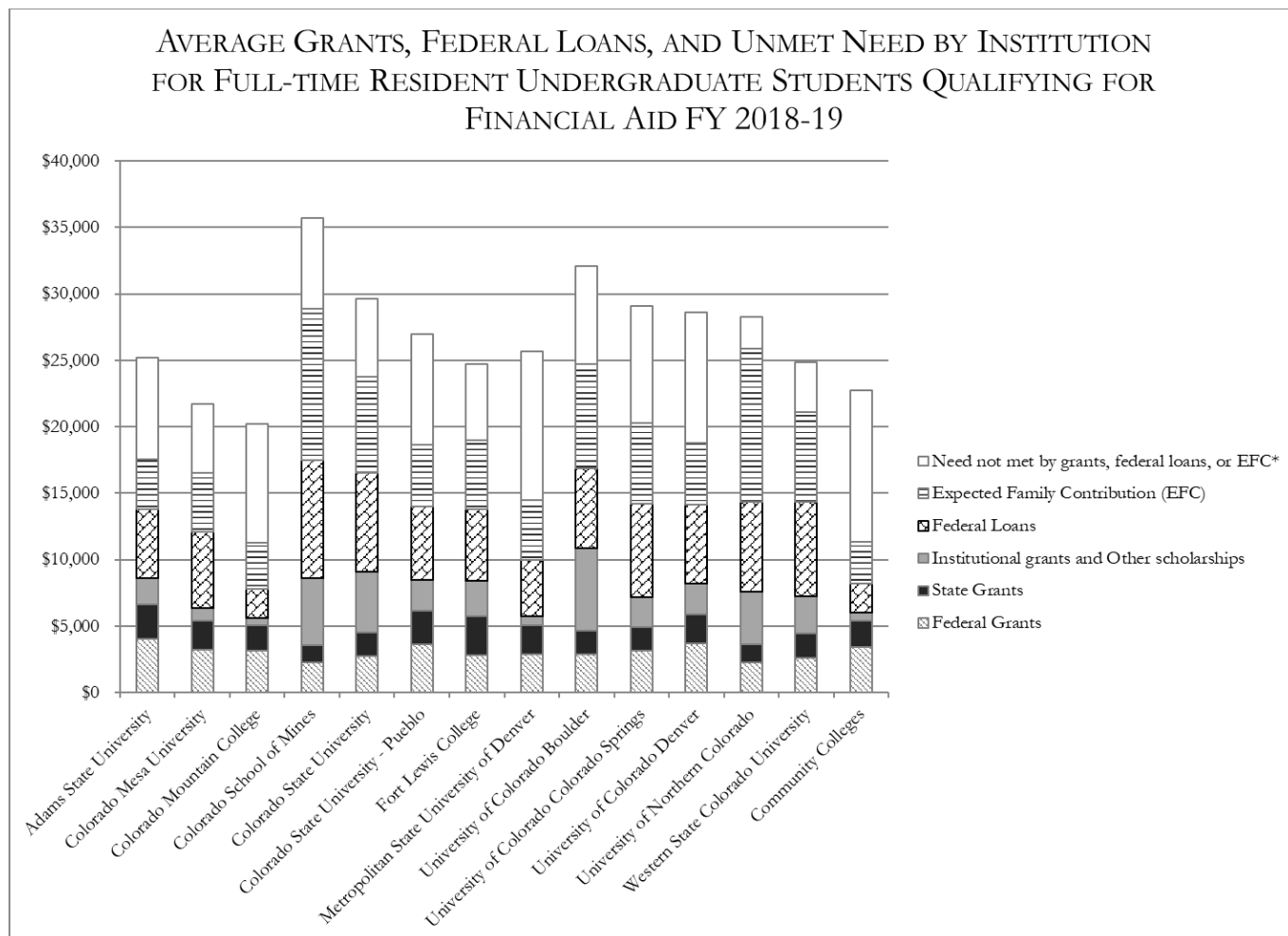
Section 23-3.3-103, C.R.S., requires that most state-funded financial aid increase at no less than the increase for the governing boards, and there have been significant increases in recent years, including \$19.1 million (10.7 percent) in FY 2018-19 and \$23.4 million (11.9 percent) in FY 2019-20. However, overall demand for aid continues to outstrip available funding. In FY 2001-02, total state financial aid disbursements equaled 26.8 percent of resident tuition revenue at state institutions; in FY 2019-20 this figure is estimated to be 16.9 percent.



\*Tuition revenue reflects estimates used for budgeting purposes for FY 2019-20.

Most sources of student financial aid are not reflected in the state budget. Yet even when these other funding sources are included, financial aid support is far less than the cost of higher education. The following chart compares grants and loans awarded in FY 2018-19 to full-time resident undergraduate students with financial need (calculated based

on federal formulas) and the average cost of attendance for a resident student at various institutions. The average cost of attendance includes the cost of room, board, transportation, and learning materials, in addition to tuition and fees. Depending on the institution, these other costs of attendance may dwarf the price of tuition. The total cost of attendance for a resident student in FY 2018-19 ranged from \$15,779 at Aims Community College to \$35,704 at the Colorado School of Mines.



\*This shortfall may be addressed by the student by reducing their out-of-pocket costs, e.g., by living with family or in less expensive accommodation than the cost of attendance formula calculates, by additional earned income or savings, or by private unsubsidized loans taken out by the student or family.

**Federal Grants:** The largest source of need-based aid is the federal government. The federal Pell grant program provided up to \$6,095 per eligible student in FY 2018-19, with an average grant of \$3,792. Among undergraduate resident students attending Colorado public institutions of higher education, about 30 percent qualified for the Pell grant in FY 2018-19.

**Institutional Grants:** Students may also receive grants from the higher education institutions they attend. About 36.5 percent of all the aid students receive at public Colorado institutions is institutional aid. Some institutions make significant funds available from their operating budgets and donated funds, based on money available and the number of students who qualify for institutional aid. About one-third of institutional aid is used for need-based aid, primarily for resident students, and this is reflected in the chart above.

**Federal Student Loans:** In order to fill the gap between cost of attendance and available grant funds, students typically rely on student loans. In addition to grant funds, the federal government provides guaranteed loans and tax credits and deductions for tuition.

- Approximately 52.0 percent of students completing a bachelor's degree from a public institution graduated with federal student debt in FY 2018-19, and the average federal student loan debt at graduation was \$26,505.
- Approximately 42.0 percent of students completing an associate's degree from a public institution graduated with federal student debt in FY 2018-19, and the average federal student loan debt at graduation was \$13,463.

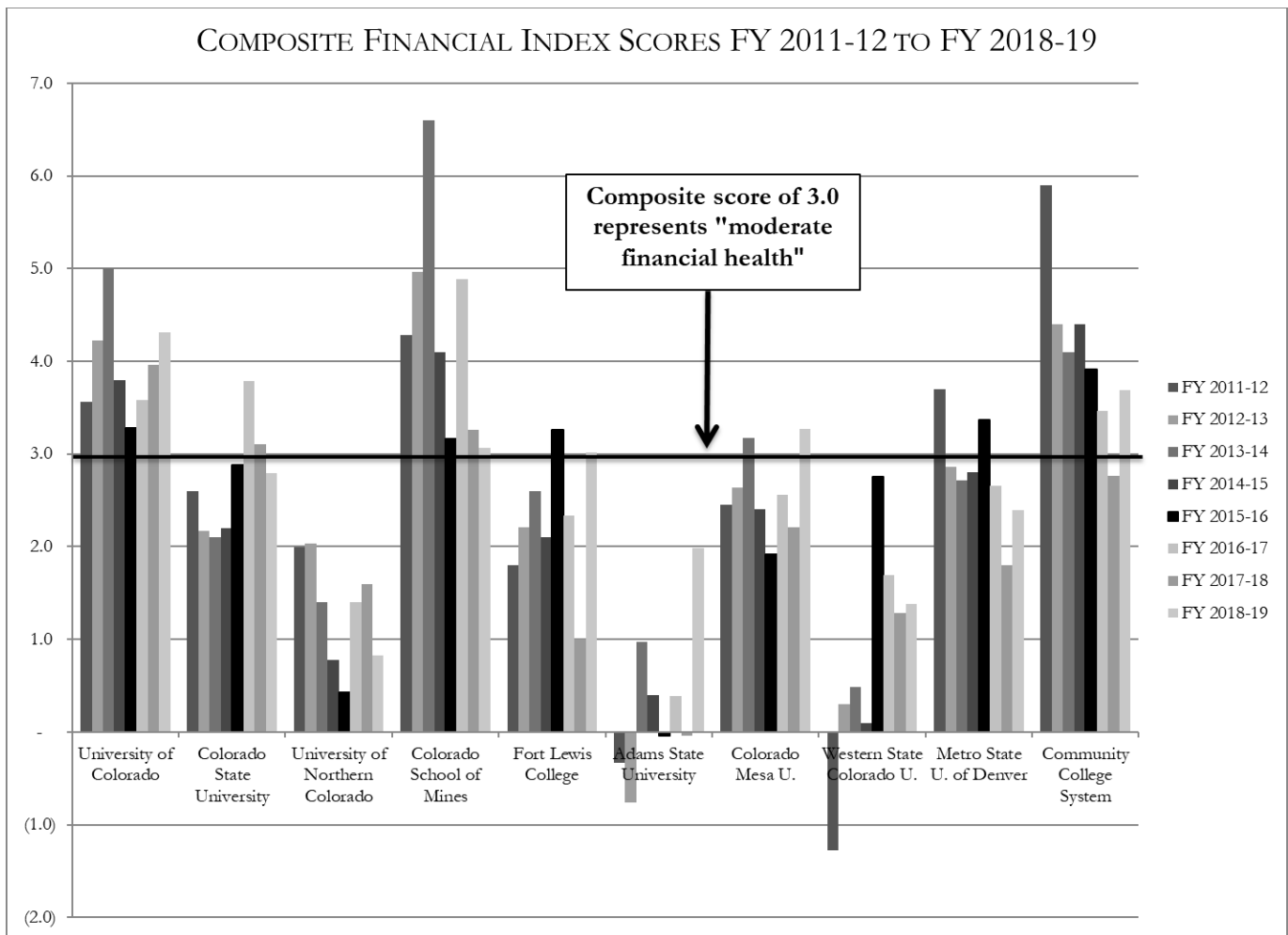
*Other Sources:* There is a substantial gap between the calculated cost of attendance for students with need and known sources of student support. A portion of this gap may be filled with additional unsubsidized student or family loans, which are not included in these figures.

## INSTITUTIONAL FINANCIAL HEALTH

As state institutions become more dependent upon tuition revenue, their survival has become more dependent upon their performance as businesses. While the governing boards have considerable operating autonomy and independent responsibility for their financial well-being, they are components of state government, employ large numbers of state staff, and play a critical role in the state economy. Thus, the General Assembly has an active interest in how well or poorly the institutions are performing financially.

In addition, the State provides a financial backstop for bonds issued by most of the state institutions. For bonds issued under the higher education revenue bond intercept program (Section 23-5-139, C.R.S.), loan rates are based on the state's credit rating rather than the institution's, and the State agrees to make bond payments if the institution is unable to do so. Under statutory provisions amended in S.B. 16-204 (Higher Education Revenue Bond Intercept), the Capital Development Committee and Joint Budget Committee must approve requests that increase a governing board's debt under the program.

The Composite Financial Index (CFI) is a tool designed to summarize institutional financial health. It combines four financial ratios (primary reserve ratio, viability ratio, return on net assets, and net operating ratio) to provide an overall indicator of a governing board's financial well-being. The CFI is calculated on a scale from below 0 to 10.0, with a result below 0 indicating that the institution's viability is in question and a score of 3.0 representing the threshold for moderate financial health. The governing boards reflect a mix of financial positions in FY 2018-19, but many look stronger than FY 2017-18, with six of ten close to or above a score of 3.0 (moderate financial health on the CFI scale). Additional state support in FY 2018-19 is an important component of many boards' stronger positions. However, even in FY 2018-19 a number of the boards appear very weak, generally due to enrollment declines. The COVID-19 pandemic is expected to place substantial strain on these already weak financial positions.



*Source:* Institutional data submissions using the methodology outlined in KPMG, Prager, Sealy & Co, Attain, "Strategic Financial Analysis for Higher Education, Seventh Edition", 2010.

*Notes:* Figures are adjusted to remove the impact of GASB 68 and GASB 75 (pension and post-employment liabilities) and Perkins Loan liquidations.

## APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

DEPARTMENT OF HIGHER EDUCATION						
	TOTAL FUNDS	GENERAL FUND <sup>1,2</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 APPROPRIATION:</b>						
SB 19-207	\$4,867,932,187	\$1,108,869,602	\$2,832,661,687	\$900,516,058	\$25,884,840	26,297.8
SB 19-001	2,500,000	0	2,500,000	0	0	0.0
SB 19-003	623,969	623,969	0	0	0	1.4
SB 19-137	218,825	218,825	0	0	0	1.0
SB 19-176	210,000	105,000	0	105,000	0	1.0
SB 19-190	1,217,787	1,217,787	0	0	0	0.9
SB 19-228	1,100,000	0	1,100,000	0	0	0.0
SB 19-231	305,145	305,145	0	0	0	0.8
HB 19-1006	1,000,000	1,000,000	0	0	0	0.0
HB 19-1202	200,634	100,317	0	100,317	0	0.9
HB 19-1264	500,000	250,000	0	250,000	0	0.0
HB 19-1294	30,000	15,000	0	15,000	0	0.0
HB 20-1247	212,804	49,250	0	212,804	(49,250)	0.2
HB 20-1360	434,889,952	(1,825,000)	(13,285,048)	0	450,000,000	0.0
HB 20-1411	600,000	600,000	0	0	0	0.0
<b>TOTAL</b>	<b>\$5,311,541,303</b>	<b>\$1,111,529,895</b>	<b>\$2,822,976,639</b>	<b>\$901,199,179</b>	<b>\$475,835,590</b>	<b>26,304.0</b>

DEPARTMENT OF HIGHER EDUCATION						
	TOTAL FUNDS	GENERAL FUND <sup>1,2</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$5,311,541,303	\$1,111,529,895	\$2,822,976,639	\$901,199,179	\$475,835,590	26,304.0
Tuition spending authority	76,380,383	0	76,380,383	0	0	0.0
Indirect cost assessment	7,597,391	(925,236)	259,980	8,156,798	105,849	0.0
Higher education fees	5,115,121	0	5,115,121	0	0	0.0
Fort Lewis Native American Tuition Waiver	2,164,552	2,164,552	0	0	0	0.0
Wildfire Mitigation Grant Program	1,000,000	1,000,000	0	0	0	0.0
History Colorado sustainability	1,000,000	1,000,000	0	0	0	0.0
Higher education limited gaming revenue	930,936	0	930,936	0	0	0.0
Lease purchase payment adjustments	641,319	1,003,023	(1,000,698)	638,994	0	0.0
State Assistance for Career and Technical Education	539,919	0	0	539,919	0	0.0
Auraria Higher Education Center	469,411	0	0	469,411	0	0.0
Opioid treatment provider education	250,000	0	250,000	0	0	0.0
Div. Private Occupational Schools IT system	200,000	0	200,000	0	0	0.0
Hist. CO community museum earned revenue	120,000	0	120,000	0	0	0.0
Technical adjustments	7,000	240,000	11,118	(244,118)	0	0.0
Informational federal FTE adjustment	0	0	0	0	0	(10.0)
Governing board employee FTE	0	0	0	0	0	442.0
Base funding for public higher education	(967,894,015)	(494,179,142)	0	(473,714,873)	0	0.0
Annualize Long Bill supplemental	(450,777,343)	(777,343)	0	0	(450,000,000)	(3.0)
Merit Based Grants	(5,000,000)	(5,000,000)	0	0	0	0.0
Cybercoding cryptology program	(4,000,000)	(2,000,000)	0	(2,000,000)	0	0.0
Cumbres and Toltec Railroad capital	(1,146,500)	(1,146,500)	0	0	0	0.0
Colorado Opportunity Scholarship Initiative	(1,000,000)	(1,000,000)	0	0	0	0.0
Colorado First Customized Job Training	(1,000,000)	0	0	(1,000,000)	0	0.0
Tobacco Master Settlement revenue	(945,107)	0	(945,107)	0	0	0.0
Annualize prior year legislation	(851,052)	(339,698)	(250,970)	(260,999)	615	0.3
Institute for Cannabis Research	(800,000)	0	(800,000)	0	0	0.0
Rural Teaching Fellowship program	(500,000)	(500,000)	0	0	0	0.0
Annualize prior year budget action	(431,947)	(418,293)	30,045	0	(43,699)	0.0
Prosecution Fellowship Program	(356,496)	(356,496)	0	0	0	0.0
Open Educational Resources	(200,000)	(200,000)	0	0	0	0.0
WICHE Optometry program	(74,025)	(74,025)	0	0	0	0.0
Centrally appropriated line items	(17,173)	141,684	(25,318)	(85,660)	(47,879)	0.0
<b>HB 20-1360</b>	<b>\$3,972,963,677</b>	<b>\$610,162,421</b>	<b>\$2,903,252,129</b>	<b>\$433,698,651</b>	<b>\$25,850,476</b>	<b>26,733.3</b>
HB 20-1364	(500,000)	0	(500,000)	0	0	0.0
HB 20-1379	(441,133)	(160,598)	(280,535)	0	0	0.0
HB 20-1385	(4,043,532)	(2,021,766)	0	(2,021,766)	0	0.0
HB 20-1398	(3,461,717)	(3,461,717)	0	0	0	0.0
HB 20-1399	(800,000)	0	(800,000)	0	0	0.0
<b>TOTAL</b>	<b>\$3,963,717,295</b>	<b>\$604,518,340</b>	<b>\$2,901,671,594</b>	<b>\$431,676,885</b>	<b>\$25,850,476</b>	<b>26,733.3</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$1,347,824,008)</b>	<b>(\$507,011,555)</b>	<b>\$78,694,955</b>	<b>(\$469,522,294)</b>	<b>(\$449,985,114)</b>	<b>429.3</b>
Percentage Change	(25.4%)	(45.6%)	2.8%	(52.1%)	(94.6%)	1.6%

<sup>1</sup>Includes appropriations from the CARE subfund in the General Fund for FY 2019-20.

<sup>2</sup>Includes General Fund Exempt.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1247 adds an appropriation of \$212,804 reappropriated funds and 0.2 FTE to address costs associated with implementing H.B. 19-1196, which extended access to state-funded financial aid for a subset of students who graduated from Colorado high schools but are not U.S. citizens or legal residents. The Department originally assessed this bill as having no fiscal impact but subsequently corrected its analysis. The appropriation enables the State to pursue a software solution, and associated staff support, to provide students who qualify for state financial aid but

not federal financial aid access to an on-line tool similar to the free application for federal student aid (FAFSA). Costs would be covered by the higher education governing boards. The bill also modifies fund sources for PERA direct distribution payments, which help to address PERA's unfunded liability, replacing federal funds determined to be uncollectible with General Fund appropriations.

House Bill 20-1360 includes the following significant changes for FY 2019-20:

*Federal Coronavirus Relief Funds:* Reflects \$450.0 million federal funds for informational purposes for Coronavirus Relief Funds allocated by the Governor to the public institutions of higher education.

*Remove Appropriations for New Programs:* Reduces General Fund appropriations for three programs created through new legislation in FY 2019-20: Educator Loan Forgiveness (\$500,000), Growing Great Teachers Teacher Mentor Grants (\$1,125,000), and the Second Chance Scholarship Program (\$200,000). These are budget balancing reductions.

*Adjust Tuition and Fee Estimates:* Reduces tuition spending authority for the state governing boards by a total of \$17,585,177 cash funds based on updated FY 2019-20 forecast data. Increases mandatory fee revenue shown for the state governing boards for informational purposes by a total of \$4,300,129 cash funds.

*General Fund Exempt Adjustment:* Increases appropriations from the General Fund by \$374,387,500 and reduces appropriations from the General Fund Exempt Account by the same amount, for a net \$0 total impact.

*History Colorado and Cumbres and Toltec Railroad Footnotes:* Allows History Colorado to roll forward up to \$489,000 General Fund to FY 2020-21 for a project to improve internet connectivity at the community museums. Also modifies an existing footnote for the Cumbres and Toltec Railroad to allow it use up to \$1,000,000 General Fund originally appropriated in FY 2019-20 for capital projects to address operating shortfalls in FY 2020-21 and FY 2021-22.

For information on H.B. 20-1411, see *Appendix A, Recent Legislation*.

**SUMMARY OF FY 2019-20 MID-YEAR BUDGET BALANCING APPROPRIATIONS:** The FY 2019-20 mid-year appropriation adjustments in this table include a reduction of \$1,825,000 General Fund for budget balancing purposes.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**SUMMARY OF FY 2020-21 BUDGET BALANCING APPROPRIATIONS:** The FY 2020-21 appropriation adjustments in this table include a reduction of \$982,803,243 total funds, comprised of reductions of \$505,288,370 General Fund, \$800,000 cash funds, and \$476,714,873 reappropriated funds, for budget balancing purposes. These actions are described individually below. This total excludes budget reductions in additional legislation and in central appropriations, with the exception of the Health, Life, and Dental adjustment that was made as an alternative to a personal services base reduction.

**TUITION SPENDING AUTHORITY:** The appropriation includes an increase of \$76,380,383 cash funds spending authority for state public institutions' tuition revenue for FY 2020-21. The spending authority is based on the assumption that undergraduate resident tuition rates will increase by no more than 3.0 percent. No limitations are assumed on tuition rates for graduate and nonresident students. The FY 2020-21 Long Bill includes total tuition spending authority for the state governing boards of \$2.48 billion, of which \$1.33 billion is estimated to be from students with in-state tuition status (Colorado residents) and \$1.15 billion is estimated to be from students classified as nonresidents. Nonresident students generally pay higher tuition rates.

**INDIRECT COST ASSESSMENT:** A new Department indirect cost recovery plan provides a net increase in the indirect cost recoveries collected from programs supported by the Department, resulting in a decrease in General Fund required in the appropriation. In addition, the appropriation includes a technical change to the way indirect cost

collections are shown in this department. Previously, indirect cost assessments were applied directly to line items to offset General Fund. Now the amounts are first identified in a new Indirect Cost Assessments line item before they are applied to offset General Fund otherwise required. The change creates a double count of \$7,272,391. A similar adjustment for indirect cost collections in History Colorado adds a double count of \$325,000.

**HIGHER EDUCATION FEES:** The bill includes an increase of \$5,115,121 cash funds for a projected increase in mandatory student fee revenue. Mandatory higher education fees are shown for informational purposes only.

**FORT LEWIS COLLEGE NATIVE AMERICAN TUITION WAIVER:** The appropriation includes an increase of \$2,164,552 General Fund for the Fort Lewis College Native American tuition waiver, bringing the total waiver payment to \$21,790,595 General Fund. Waiver payments are mandated by Section 23-52-105 (1)(b)(I), C.R.S., which requires the General Assembly to fund 100.0 percent of the tuition obligations for qualifying Native American students attending Fort Lewis College. Funding for the tuition waiver is made one year in arrears and is calculated based on the prior year enrollment estimates.

**WILDFIRE MITIGATION GRANT PROGRAM:** The appropriation includes \$1,000,000 General Fund for the Forest Restoration and Wildfire Risk Mitigation Grant Program Cash Fund, which is managed by the Colorado State Forest Service at Colorado State University. The program received a one-time appropriation of \$1,000,000 General Fund through H.B. 19-1006. The Long Bill includes the same level of funding for FY 2020-21.

**HISTORY COLORADO SUSTAINABILITY:** The appropriation includes \$1,000,000 General Fund in FY 2020-21, continuing in FY 2021-22, to assist History Colorado in remaining financially stable, in light of a precipitous decline in limited gaming taxes and earned revenue that support museum and preservation operations. Both revenue sources have been significantly affected by the pandemic. Gaming tax revenue available to History Colorado for use in FY 2020-21 is expected to fall over 50.0 percent, from approximately \$10.5 million available for museum operations in FY 2019-20 to approximately \$5.2 million available in FY 2020-21. Even before the pandemic, History Colorado's museum operations faced significant financial challenges due to annual Certificate of Participation (COP) payments for the History Colorado Center, which required over \$3.0 million per year out of the agency's operating budget of \$18.4 million in FY 2018-19.

**HIGHER EDUCATION LIMITED GAMING REVENUE:** The appropriation includes an increase of \$930,936 to reflect the increase in limited gaming tax revenue received by public community colleges from \$13.1 million in year FY 2017-18 to \$14.0 million in FY 2018-19. While this accurately reflects the prior year actual increase, FY 2019-20 gaming revenue, which is used in FY 2020-21, is expected to fall sharply due to the closure of casinos during the pandemic.

**LEASE PURCHASE PAYMENT ADJUSTMENTS:** The appropriation includes technical adjustments to three lease purchase obligations: the University of Colorado Health Sciences Center at Fitzsimons lease purchase authorized by H.B. 03-1256 (\$14.2 million payment per year); the Higher Education Federal Mineral Lease Revenues lease purchase that supported various higher education capital construction projects in 2008 (\$16.9 million per year payment); and the lease purchase for the new History Colorado Center authorized in 2008 (\$3.0 million per year payment). FY 2020-21 adjustments require \$1,003,023 in additional General Fund to offset lower projections for Federal Mineral Lease and Tobacco Master Settlement revenues.

**STATE ASSISTANCE FOR CAREER AND TECHNICAL EDUCATION:** The appropriation includes an increase of \$539,919 reappropriated funds from the Department of Education for the State Assistance for Career and Technical Education line item. This aligns with the increase for this categorical program in the Department of Education.

**AURARIA HIGHER EDUCATION CENTER:** The appropriation increases spending authority for the Auraria Higher Education Center by \$469,411 for funds received from the institutions operating on the Auraria campus (University of Colorado – Denver, Metropolitan State University of Denver, and the Community College of Denver).



**OPIOID TREATMENT PROVIDER EDUCATION:** The appropriation adds \$250,000 cash funds from the Marijuana Tax Cash Fund to support the work of the Center for Research into Substance Use Disorder Prevention, Treatment, and Recovery Support Strategies at the University of Colorado Health Sciences Center to educate providers about treatment for opioid abuse.

**DIV. PRIVATE OCCUPATIONAL SCHOOLS IT SYSTEM:** The appropriation includes \$200,000 cash funds spending authority in FY 2020-21, annualizing to \$100,000 cash funds spending authority for the subsequent three fiscal years, to enable the Division of Private Occupational Schools to implement a comprehensive IT solution to improve the Division's workflow. The Division regulates over 300 private occupational schools and currently collects school information mostly in paper format, which is then transcribed into outdated databases. The solution proposed by the Division will build on existing technology used for schools that wish to provide services funded by the federal Workforce Innovation and Opportunity Act (WIOA). The Division anticipates that with the new automated system, the time required for a school to seek approval can be reduced by 50-70 percent. It currently requires 2 months to 1 year for a school to complete the approval process.

**HIST. CO COMMUNITY MUSEUM EARNED REVENUE:** The appropriation includes an increase of \$120,000 cash funds spending authority in FY 2020-21 for earned revenue at the community museums.

**TECHNICAL ADJUSTMENTS:** The appropriation includes various technical adjustments to appropriations. This includes reducing appropriations from the General Fund Exempt account by \$438.8 million and increasing General Fund appropriations by the same amount for a net \$0 funds impact, fund source adjustments for programs for rural educators and veterinary medicine, and a \$7,000 General Fund increase in fees for the Western Interstate Commission on Higher Education (WICHE).

**INFORMATIONAL FEDERAL FTE ADJUSTMENT:** The appropriation reduces FTE shown for the federal GEAR UP program to more accurately reflect program staffing.

**GOVERNING BOARD EMPLOYEE FTE:** The appropriation includes a net increase of 442.0 FTE for the state governing boards. These employee FTE positions are shown for informational purposes only and are based on the estimated number of FY 2019-20 FTE who are paid through state institutions' educational and general budgets (amounts included in the Long Bill). The FY 2020-21 Long Bill reflects a total of 26,493.1 FTE estimated to be employed at the state institutions and the Auraria Higher Education Center. This figure excludes staff employed in research and auxiliary activities such as housing and dining services.

**BASE FUNDING FOR PUBLIC HIGHER EDUCATION:** The appropriation includes a reduction of \$493,187,703 General Fund (58.0 percent) in General Fund support for public institutions of higher education. This is a budget balancing reduction. The reduction is proportionate to the institutions' FY 2019-20 share of General Fund appropriations, and amounts are allocated in compliance with the requirements of H.B. 14-1319. Funding includes a reduction in the stipend for undergraduate resident students from \$94 per credit hour in FY 2019-20 to \$40 per credit hour (\$1,200 per student FTE) in FY 2020-21, reductions in fee-for-service contracts with the state governing boards, and reductions in grants to local district colleges and area technical colleges. The appropriation includes an associated reduction of \$991,440 General Fund for stipends for students at private institutions, as this is based on 50.0 percent of the stipend amount for students at public institutions. A footnote specifies the General Assembly's intent that only 5.0 percentage points of the reduction should be treated as an ongoing base reduction for purposes of developing the FY 2021-22 appropriation. Note that stipend and fee-for-service contract amounts are appropriated to the Department and then reappropriated to the state governing boards, leading to a double-count in the appropriation.

BASE STATE SUPPORT FOR PUBLIC HIGHER EDUCATION INSTITUTIONS		
	FY 2019-20 BASE STUDENT STIPENDS, FEE-FOR-SERVICE CONTRACTS UNDER 23-18-303 AND FOR SPECIALTY EDUCATION	FY 2020-21 REDUCTION
Adams State University	\$17,280,257	(\$10,022,549)
Colorado Mesa University	32,184,959	(18,667,276)
Metropolitan State University	63,669,142	(36,928,103)
Western State Colorado University	15,035,379	(8,720,520)
Colorado State University System	170,828,219	(99,080,366)
Fort Lewis College	14,136,437	(8,199,133)
University of Colorado System	241,373,927	(139,996,876)
Colorado School of Mines	25,371,265	(14,715,334)
University of Northern Colorado	47,004,464	(27,262,589)
Community College System	189,865,735	(110,122,127)
<b>Sub-total, State Governing Boards</b>	<b>816,749,784</b>	<b>(473,714,873)</b>
Colorado Mountain College	9,010,042	(5,225,824)
Aims Community College	10,653,783	(6,179,194)
Area Technical Colleges	13,910,021	(8,067,812)
<b>Total</b>	<b>\$850,323,630</b>	<b>(\$493,187,703)</b>

**ANNUALIZE LONG BILL SUPPLEMENTAL:** The appropriation includes the second-year impact of mid-year adjustments included in the Long Bill supplemental. This includes eliminating the \$450.0 million in one-time federal funds allocated by the Governor in FY 2019-20 from Coronavirus Relief Funds. It also includes reducing \$777,343 General Fund and 3.0 FTE to eliminate the balance of funding for the Educator Loan Forgiveness program, Growing Great Teachers program, and the Second Chance Scholarship program. All three programs were created through new legislation during the 2019 session but never fully launched due to the Coronavirus pandemic and the decline in available state funds in FY 2019-20. The General Fund change is a budget balancing reduction.

**MERIT BASED GRANTS:** The appropriation eliminates the \$5.0 million General Fund appropriation for merit based grants. Since FY 2014-15 this amount has been allocated by the Colorado Commission on Higher Education to institutions of higher education that then award the funds to students on the basis of academic or other merit. This is a budget balancing reduction.

**CYBERCODING CRYPTOLOGY PROGRAM:** The appropriation strikes \$2.0 million of the \$5.1 million General Fund appropriation for cybercoding cryptology programs at the state institutions of higher education. This is a budget balancing reduction. This funding is provided through limited purpose fee-for-service contracts with six of the state governing boards. General Fund is appropriated to the Department and then reappropriated to the governing boards, leading to a double-count in the appropriation. Reductions are applied in proportion to each governing board's share of the base funding.

**CUMBRES AND TOLTEC RAILROAD CAPITAL:** The appropriation removes capital-related funding for the Cumbres and Toltec Railroad (\$1,146,500 General Fund). This is a budget balancing reduction. As discussed above, a Long Bill supplemental footnote allows the railroad to use up to \$1.0 million General Fund from unspent prior year capital appropriations for operating expenses during FY 2020-21 and FY 2021-22.

**COLORADO OPPORTUNITY SCHOLARSHIP INITIATIVE:** The appropriation reduces the appropriation for the Colorado Opportunity Scholarship Initiative by \$1.0 million, from \$7,000,000 General Fund to \$6,000,000 General Fund. This is a budget balancing reduction. The program funds matching student scholarships and support services for secondary and post-secondary students to support student matriculation, persistence, and success in higher education.

**COLORADO FIRST CUSTOMIZED JOB TRAINING:** The appropriation reduces the appropriation for this program from \$4.5 million to \$3.5 million reappropriated funds, reflecting amounts transferred from the Governor's Office of Economic Development for community colleges to provide training to employees of new companies or expanding firms. This is a budget balancing reduction.

**TOBACCO MASTER SETTLEMENT REVENUE:** The appropriation includes a decrease based on the FY 2020-21 Tobacco Master Settlement revenue projection. The FY 2020-21 Long Bill reflects \$14,062,806 estimated to be received from the Tobacco Master Settlement Agreement to support programs at the University of Colorado's Health Sciences Center.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impact of prior year legislation. Note that the annualization in the Long Bill that is reflected below for FY 2020-21 is in some cases reversed through other adjustments in the Long Bill or separate legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 15-211 Depreciation Lease Equivalent Adjustment	\$1,015,354	\$1,015,354	\$0	\$0	\$0	0.0
SB 19-003 Educator Loan Forgiveness	493,443	493,443	0	0	0	0.1
HB 19-1202 Food Systems Advisory Council	101,502	50,751	0	50,751	0	0.1
SB 18-200 Eliminate PERA unfunded liability	66,906	5,276	49,030	11,985	615	0.0
SB 19-231 Colorado Second Chance Scholarship	4,788	4,788	0	0	0	0.2
DHE location of SB 19-190 administration funding	0		0	0	0	0.0
DHE location of HB 19-1202 and HB 19-1294	0		0	0	0	0.0
HB 19-1006 Wildfire Mitigation Wild and Urban Interface Areas	(1,000,000)	(1,000,000)	0	0	0	0.0
HB 20-1411 CARE subfund for Behavioral Health	(600,000)	(600,000)	0	0	0	0.0
HB 19-1264 Conservation Easement Tax Credit Modifications	(500,000)	(250,000)	0	(250,000)	0	0.0
SB 19-001 Expand Medication-assisted Treatment Pilot Program	(300,000)	0	(300,000)	0	0	0.0
HB 19-1196 Implementation	(58,735)	0	0	(58,735)	0	0.3
SB 19-190 Growing Great Teachers	(44,310)	(44,310)	0	0	0	(0.4)
HB 19-1294 Apprenticeship credit	(30,000)	(15,000)	0	(15,000)	0	0.0
<b>TOTAL</b>	<b>(\$851,052)</b>	<b>(\$339,698)</b>	<b>(\$250,970)</b>	<b>(\$260,999)</b>	<b>\$615</b>	<b>0.3</b>

**INSTITUTE FOR CANNABIS RESEARCH:** The appropriation reduces the appropriation for the Institute for Cannabis Research at Colorado State University - Pueblo by \$800,000 cash funds. The FY 2019-20 appropriation was \$1.8 million cash funds from the Marijuana Tax Cash Fund. The appropriation reduces this funding to \$1.0 million cash funds. This is a budget balancing reduction.

**RURAL TEACHING FELLOWSHIP PROGRAM:** The appropriation reduces the appropriation for the Rural Teacher Fellowship Program by \$500,000 General Fund. This is a budget balancing reduction. The program provides a fellowship of \$5,000 for a student teacher in a rural area if that amount is matched by the student's institution. The program has been spending less than \$100,000 per year, and a roll-forward of approximately \$170,000 is anticipated to be available for FY 2020-21. This program is now combined in a single line item with other programs designed to support rural educators. The appropriation for the combined line item is \$709,354 General Fund for FY 2020-21.

**ANNUALIZE PRIOR YEAR BUDGET ACTION:** The appropriation includes adjustments for the second-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 History Colorado museum connectivity	\$0	(\$29,249)	\$29,249	\$0	\$0	0.0
FY 17-18 Community museum revitalization	(389,044)	(389,044)	0	0	0	0.0
FY 19-20 Salary survey	(42,903)	0	796	0	(43,699)	0.0
<b>TOTAL</b>	<b>(\$431,947)</b>	<b>(\$418,293)</b>	<b>\$30,045</b>	<b>\$0</b>	<b>(\$43,699)</b>	<b>0.0</b>

**PROSECUTION FELLOWSHIP PROGRAM:** The appropriation suspends for one year funding for the Prosecution Fellowship Program. The program places six recent graduates from the state's two major law schools, the University of Colorado at Boulder and the University of Denver, into one-year prosecution fellowships in rural jurisdictions around the state. This is a budget balancing reduction.

**OPEN EDUCATIONAL RESOURCES:** The appropriation reduces funding for the Open Educational Resources (OER) grant program by \$200,000 General Fund. This is a budget balancing reduction. Open educational resources are high-quality teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that permits their free use and repurposing by others. The OER grant program provides grants to public institutions of higher education to promote the use of OER at the institutions and to faculty and staff, individually or in groups, to create and adapt open educational resources. With this reduction, the program has an appropriation of \$960,877 for FY 2020-21.

**WICHE OPTOMETRY PROGRAM:** The appropriation reduces appropriations for the Western Interstate Commission on Higher Education (WICHE) Optometry program by \$74,025 General Fund. This is a budget balancing reduction. This program provides funding of approximately \$18,000 per student per year for Colorado students to enroll in out-of-state institutions with optometry programs at subsidized rates. The exchange offers an alternative to establishing such a program in Colorado, as there is currently no optometry school in the State. In return for discounted tuition, participating students agree to return to Colorado to practice optometry for the same number of years as they were supported or to repay the state for its investment. The appropriation reduces funding for the program based on not enrolling new students as others complete their program. The appropriation reflects the assumption that four positions will not be filled in FY 2020-21 and an additional four will not be filled in FY 2021-22.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
AED adjustment	61,579	31,102	19,200	(11,511)	22,788	0.0
SAED adjustment	61,579	31,102	19,200	(11,511)	22,788	0.0
CORE adjustment	71,352	0	26,972	44,380	0	0.0
PERA Direct Distribution	60,601	102,490	50,053	(91,942)	0	0.0
Health, life, and dental adjustment	25,869	32,923	84,816	2,364	(94,234)	0.0
Short-term disability adjustment	1,364	977	(42)	(350)	779	0.0
Payments to OIT adjustment	(160,187)	(2,046)	(148,147)	(9,994)	0	0.0
Payment to risk management / prop. funds	(69,897)	0	(70,607)	710	0	0.0
HLD decrease in lieu of ps base reduction	(54,864)	(54,864)	0	0	0	0.0
Workers' compensation adjustment	(7,112)	0	972	(8,084)	0	0.0
Legal services adjustment	(6,661)	0	(6,939)	278	0	0.0
ALJ adjustment	(796)	0	(796)	0	0	0.0
<b>TOTAL</b>	<b>(\$17,173)</b>	<b>\$141,684</b>	<b>(\$25,318)</b>	<b>(\$85,660)</b>	<b>(\$47,879)</b>	<b>0.0</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# DEPARTMENT OF HUMAN SERVICES

The Department of Human Services is responsible for the administration and supervision of all non-medical public assistance and welfare activities of the State, including: assistance payments, the Supplemental Nutrition Assistance Program (food stamps), child welfare services, rehabilitation programs, alcohol and drug treatment programs, and programs for the aging. The Department is also responsible for inspecting and licensing child care facilities and for the care and treatment of the State's dependent citizens who are mentally ill, developmentally disabled, or juvenile offenders. The Department operates two mental health institutes, three regional centers for persons with developmental disabilities, and ten institutions for juvenile delinquents. The Department also provides funding for the care of indigent mentally ill people, services for children qualifying for early intervention services, and for the supervision and treatment of delinquent juveniles.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund <sup>1</sup>	\$888,859,937	\$977,848,825	\$1,028,050,155	\$960,429,029
Cash Funds	420,493,204	416,811,839	445,987,547	420,236,935
Reappropriated Funds	185,353,695	188,322,020	211,209,030	208,978,816
Federal Funds	590,111,541	611,583,369	673,494,416	689,031,438
<b>TOTAL FUNDS</b>	<b>\$2,084,818,377</b>	<b>\$2,194,566,053</b>	<b>\$2,358,741,148</b>	<b>\$2,278,676,218</b>
Full Time Equiv. Staff	4,935.5	5,053.8	5,134.2	5,178.6

<sup>1</sup> Includes appropriations from the CARE subfund of the General Fund for FY 2019-20 and FY 2020-21.

## GENERAL FACTORS DRIVING THE BUDGET

Funding for this department consists of 42.1 percent General Fund, 18.5 percent cash funds, 9.2 percent reappropriated funds, and 30.2 percent federal funds.

### EMPLOYEE BENEFITS

Due to the large number of Department employees, appropriations for employee benefits are significant. Benefits that are covered through centrally appropriated line items in the Executive Director's Office include: employee health, life, and dental insurance; the additional state contributions to assist in the amortization of the Public Employees' Retirement Association (PERA) unfunded liability; salary increases; shift differential that provides premiums paid for employees who work non-standard shifts in 24-hour institutional facilities; and short-term disability insurance.

EMPLOYEE BENEFIT APPROPRIATIONS					
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
<b>FY 2019-20 Appropriation</b>					
Health, life, and dental	\$49,710,058	\$34,039,333	\$154,510	\$11,050,322	\$4,465,893
Supplemental PERA payments	37,634,820	26,291,880	672,452	7,592,142	3,078,346
Salary survey	9,430,800	6,371,871	316,921	1,697,163	1,044,845
Shift differential	7,903,357	4,751,997	0	3,151,360	0
Short-term disability	496,291	347,144	9,024	98,586	41,537
<b>FY 2019-20 TOTAL</b>	<b>\$105,175,326</b>	<b>\$71,802,225</b>	<b>\$1,152,907</b>	<b>\$23,589,573</b>	<b>\$8,630,621</b>
<b>FY 2020-21 Appropriation</b>					
Health, life, and dental	\$39,282,023	\$23,514,845	\$510,059	\$12,142,857	\$3,114,262
Supplemental PERA payments	28,540,160	18,962,186	55,466	8,217,080	1,305,428
Salary survey	0	0	0	0	0
Shift differential	7,746,935	4,723,846	39,879	2,038,728	944,482
Short-term disability	470,820	313,062	882	137,495	19,381
<b>FY 2020-21 TOTAL</b>	<b>\$76,039,938</b>	<b>\$47,513,939</b>	<b>\$606,286</b>	<b>\$22,536,160</b>	<b>\$5,383,553</b>

## INFORMATION TECHNOLOGY SYSTEMS

The budget for the Office of Information Technology Systems (OITS) is primarily driven by the personnel, contracting, and operating expenses of the Colorado Benefits Management System (CBMS). CBMS is the computer system used to determine a citizen's eligibility for public assistance programs like Medicaid, the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), and several others. CBMS is developed and maintained by the state for use by county social services departments and various medical assistance sites. The majority of employees assigned to CBMS reside in the Governor's Office of Information Technology.

OITS' FY 2020-21 appropriation for CBMS-related expenditures totals \$18.7 million total funds, including \$8.7 million General Fund, which equals 23.1 percent of the unit's FY 2020-21 total funds appropriation of \$81.0 million and 25.3 percent of its General Fund appropriation of \$34.5 million. CBMS expenses are driven by operating costs, including contract services, postage, hardware/software, network equipment, and printing supplies.

CBMS is not the only system administered with money appropriated to OITS. The following tools support a variety of programs:

- Colorado Trails (TRAILS) – Supports the state's child protective system activities by tracking reports of child abuse and neglect from intake through final disposition and securely reporting the corresponding data to the federal government. TRAILS received a FY 2020-21 appropriation of \$8.2 million total funds, including \$4.3 million General Fund, for its operation. TRAILS is in the final implementation phases of a modernization project.
- County Financial Management System (CFMS) – Tracks expenditures by program, by funding source, and by county, allocates administrative costs by program, and tracks expenditures that are estimated to count toward federal maintenance of effort requirements. The system manages over \$1.0 billion in payments annually. CFMS received a FY 2020-21 appropriation of \$1.5 million total funds, including \$0.4 million General Fund, for its operation.
- Child Care Automated Tracking System (CHATS) – Determines eligibility and processes payments for the Child Care Assistance Program. The program provides child care subsidies for low-income families, including those who are working, searching for employment, in training, or enrolled in the Colorado Works program. CHATS received a FY 2020-21 appropriation of \$2.7 million federal funds for its operation.

## COUNTY ADMINISTRATION

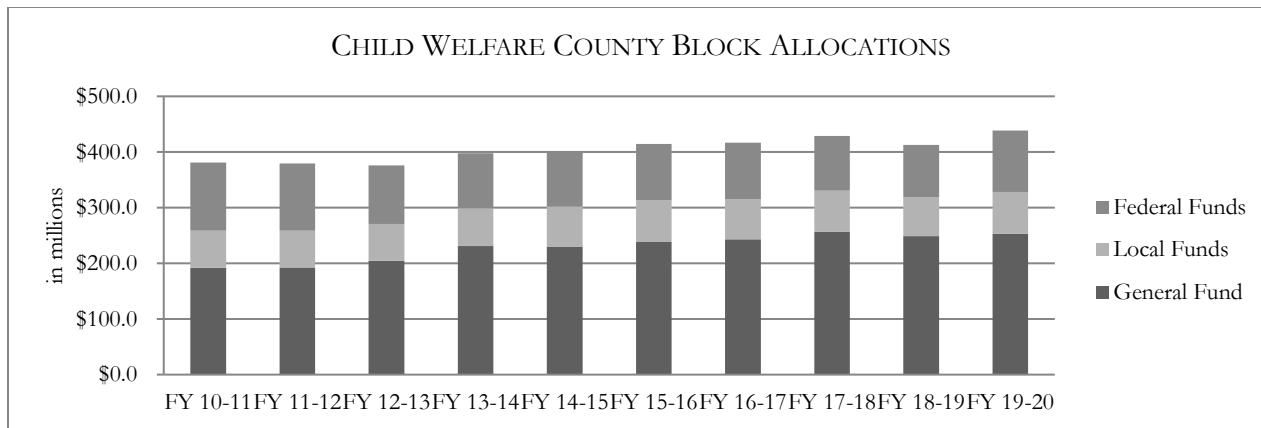
Public assistance programs in Colorado operate under a state-supervised, county-administered model. Under this decentralized model, the federal government provides a portion (or all) of the funding for a program (including administrative costs) to the state, which in-turn provides block grant transfers to counties to administer the program in accordance with federal and state laws, regulations, and rules. Funding for county administrative duties in delivering public assistance programs is appropriated to two agencies based on state-level program responsibility: the Colorado Department of Human Services and the Colorado Department of Health Care Policy and Financing.

This budgetary section contains appropriations primarily for the county administration of the Supplemental Nutrition Assistance Program (SNAP). Appropriations for this purpose are calculated as roughly 20 percent county funds, 30 percent state funds, and 50 percent federal funds. The total funds amount of the appropriation is driven by the state General Fund component of this formula. State General Fund is appropriated at a discretionary level by the General Assembly. County costs and caseload only affect appropriations to the extent the General Assembly chooses to make related adjustments. If counties over-expend their allocations, they are responsible for covering the shortfall, although they are able to access federal matching funds for county-only expenditures in some instances. For FY 2020-21, the Department received an appropriation of \$25.5 million General Fund. Funding for the SNAP benefit provided to recipients is not included in the annual Long Bill.

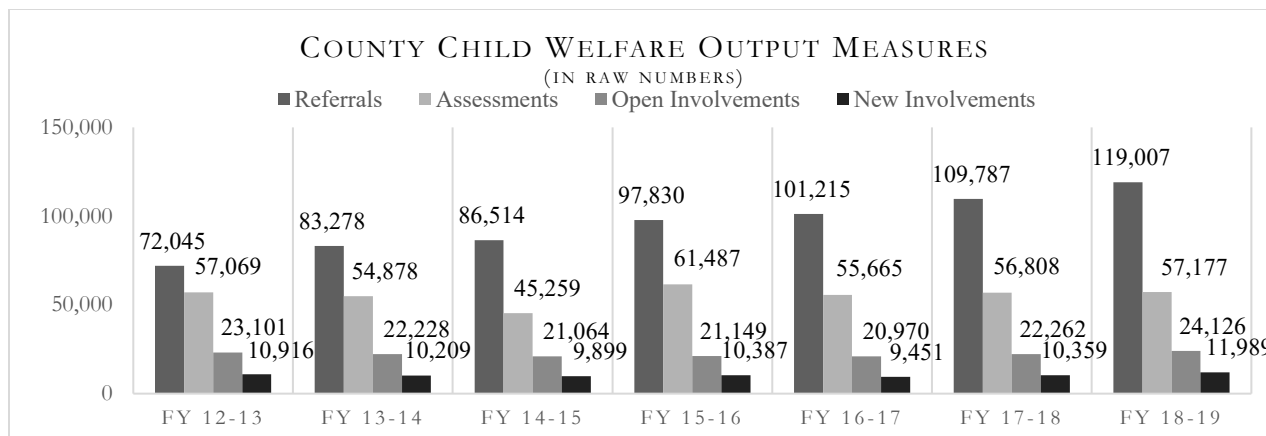
## CHILD WELFARE SERVICES

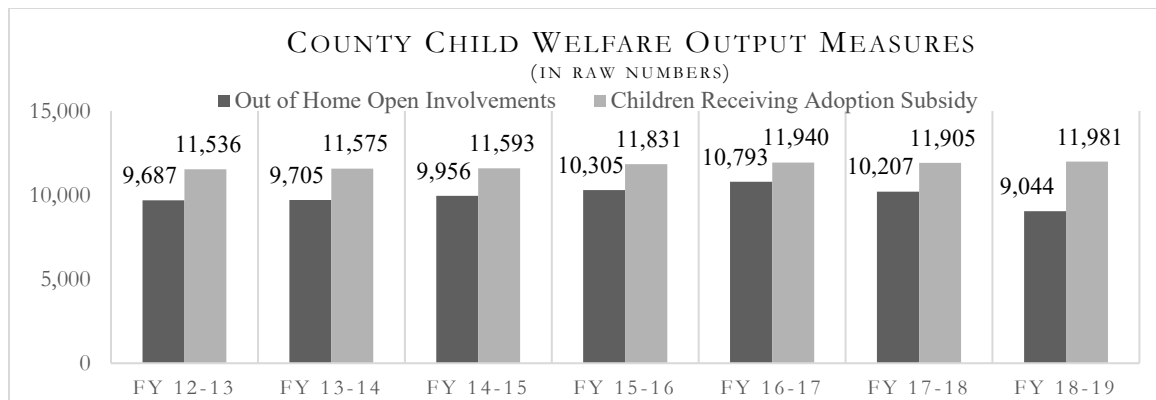
County departments of human or social services receive and respond to reports of potential child abuse or neglect under the supervision of the Department. Appropriations for child welfare programs for FY 2020-21 total \$535.0

million and consist of 53.5 percent General Fund, 25.9 percent federal funds, 2.5 percent reappropriated funds, and 18.0 percent county funds and various cash fund sources. The majority of funds appropriated for child welfare are made available to county departments as capped allocations for the provision of child welfare services. The chart below provides the history of appropriations for county block allocations by fund source. The reduction in FY 2018-19 reflects the passage of S.B. 18-254 (Child Welfare Reforms). The Act removed funding for Adoption and Relative Guardianship Assistance subsidy expenditures from the capped allocation. Funding for these subsidies is now appropriated in a separate line item.



Expenditures for child welfare services are driven by various factors. Drivers that are within county control include the types of services offered, the rates paid for services, and employee compensation packages. Drivers that are beyond county control include the number of reports of abuse or neglect, the number of reports that require a child welfare case to be opened based on the severity of an incident and risk to a child, and judicial decisions regarding client placements. Child welfare system outputs that are frequently monitored include the number of: 1) referrals made to county child welfare agencies; 2) assessments that are performed to determine instances of abuse or neglect; 3) new and ongoing cases that are opened and that result in the involvement of the county child welfare agency; 4) open cases that require out-of-home placement; and 5) children receiving an adoption subsidy.





The majority of federal funding available for child welfare services is from Titles IV-E and IV-B of the Social Security Act and the Title XX Social Services Block Grant. Title IV-E of the federal Social Security Act entitles states to claim a partial reimbursement for the cost of providing foster care, adoption assistance, and kinship guardianship assistance to children who meet federal eligibility criteria. This program provides funds for case management activities, training, data collection, and other program administration costs, in addition to support for monthly payments on behalf of qualifying children. Though increased emphasis is being placed on avoiding out-of-home placements, serving children and families in the home, and reunifying families if this can be done safely, Title IV-E has not historically provided reimbursement for services provided to keep a child in the family home. With the enactment of the federal Family First Prevention Services Act of 2018, there will be more opportunities to use Title IV-E funding for prevention and intervention services.

## CHILD CARE ASSISTANCE PROGRAM

The Colorado Child Care Assistance Program (CCCAP) provides subsidized childcare for low-income families and those transitioning from the Colorado Works program, subject to available appropriations. The majority of appropriations are comprised of federal Child Care Development block grant funds, which are subject to appropriation by the General Assembly under federal law. Funding for CCCAP is allocated to counties, which are responsible for administering the program. In addition to appropriated amounts, counties may transfer a portion of their TANF block grant funding to support childcare programs. Such transfers are not reflected in the appropriation, but are a driver of overall program expenditures.

## OFFICE OF BEHAVIORAL HEALTH

The Office of Behavioral Health administers funding for community-based prevention, crisis response, treatment, and recovery support services for people with mental health and substance use disorders (referred to as “behavioral health” services). The Department also operates the state's Mental Health Institutes, which provide inpatient psychiatric hospitalization for individuals with mental health disorders.

## MENTAL HEALTH INSTITUTES

The Department administers and operates two mental health institutes that provide inpatient hospitalization for individuals with serious mental health disorders. The institutes are located in Pueblo and on the Fort Logan campus in southwest Denver and serve three populations within two categories of resources:

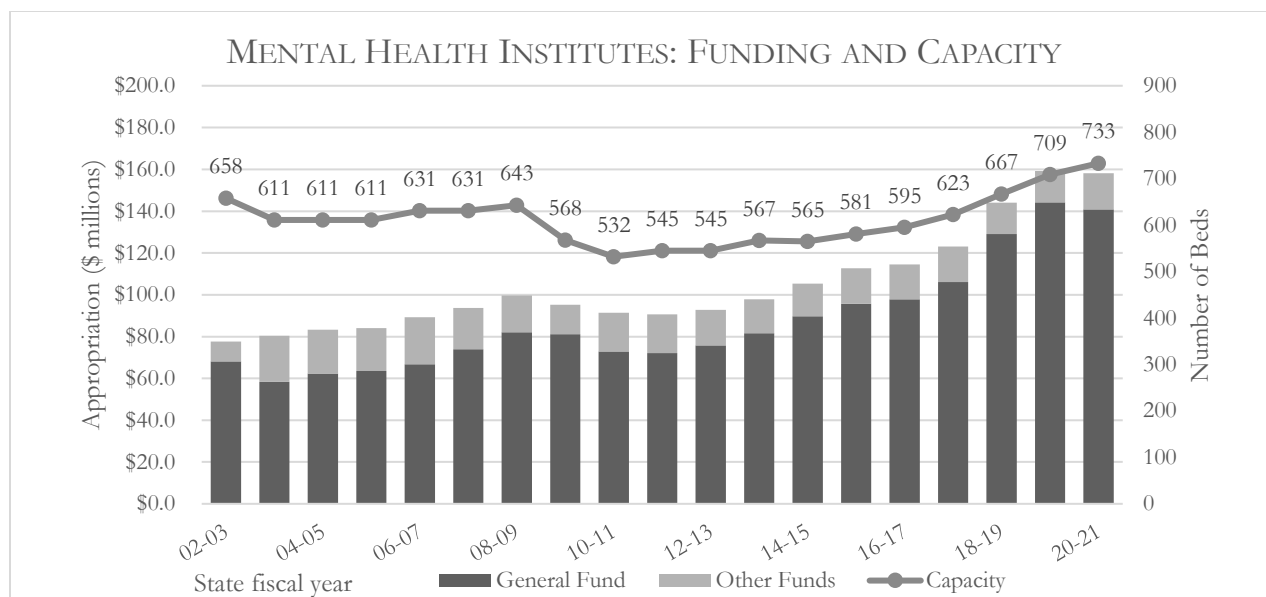
- “Forensic” beds include services for
  - Individuals with pending criminal charges who require evaluations of competency to stand trial and services to restore competency; and
  - Individuals who have been found not guilty by reason of insanity;
- “Civil” beds include services for
  - Adults and adolescents who are referred for admission by community mental health centers, local hospitals, or the Department's Division of Youth Services.



The Department also contracts with a vendor to operate a *jail-based* program for individuals requiring competency evaluations or restoration services. This program, called the Restoring Individuals Safely and Effectively (RISE) Program, is currently operated by Correct Care, LLC, within the Arapahoe County Detention Facility in Centennial. The RISE Program was originally funded in FY 2013-14 for 22 beds and has been regularly expanded; the FY 2020-21 appropriation supports 114 beds. In addition, the General Assembly approved a request in March 2018 to allow the Office to expand inpatient psychiatric bed capacity by contracting with one or more private hospitals. The FY 2020-21 appropriation supports 10 contracted beds.

The Institutes are primarily supported by General Fund appropriations. Other sources of revenue include: patient revenues (including federal Medicaid funds transferred from the Department of Health Care Policy and Financing and federal Medicare funds), funds transferred from the Department of Corrections (DOC) for food services provided to DOC facilities on the Pueblo campus, and marijuana tax revenues that support certified addiction counselors at both Institutes. Funding for the institutes is affected by capacity, personnel costs, and operational costs (including medication expenses and the cost of purchasing medical services from local hospitals and medical providers). In FY 2018-19, the General Assembly provided \$13.0 million to increase salaries for all direct care job classifications at both institutes as part of an effort to improve employee recruitment and retention.

Total capacity of the institutes declined during each of the last two economic downturns as a result of the closure of certain units. However the General Assembly subsequently reversed this decline in capacity by providing funding for the Department to: 1) add contract bed capacity through the RISE Program and private hospitals; 2) expand by 20 the number of beds at the Pueblo Institute designed to serve long-term patients who are preparing to re-enter the community, thereby freeing up 20 existing adult beds in various units; and 3) relocate some existing programs and utilize vacant units at the Pueblo Institute to add 42 adult civil beds. The following chart depicts recent changes in the Institutes' funding and bed capacity. Capacity figures reflect both civil and forensic beds, including the RISE Program and the recently funded private psychiatric beds.



In addition to appropriations reflected in the chart above, the General Assembly has appropriated funding for capital construction projects that will increase capacity in future years. This includes a \$5.4 million appropriation in FY 2017-18 for the construction of a new 24-bed high security forensic unit that is anticipated to be operational by December 2020, and a \$17.8 million appropriation in FY 2019-20 to renovate two buildings at Fort Logan and add 44 beds that are anticipated to be operational in FY 2022-23.

## COMMUNITY-BASED PROGRAMS AND SERVICES

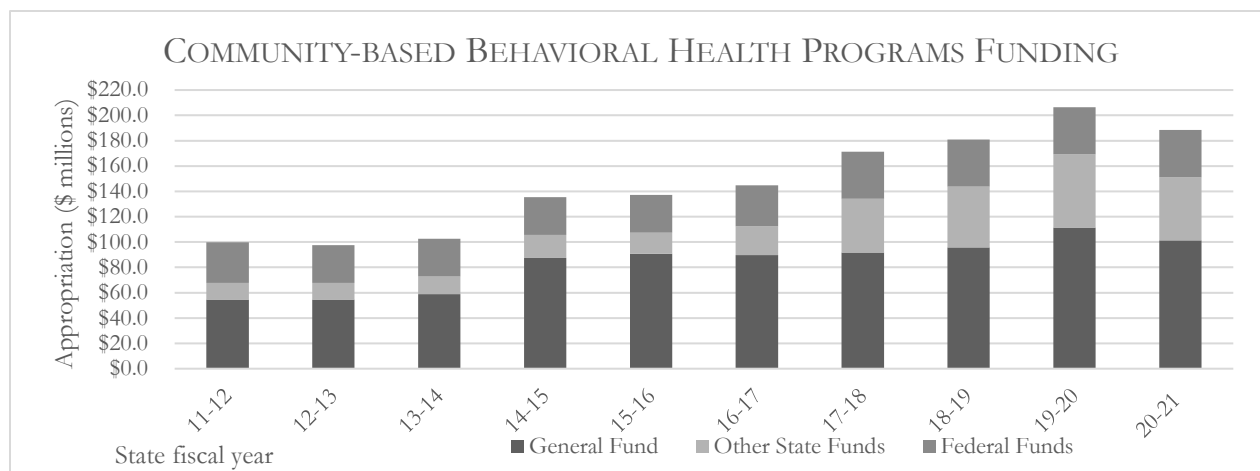
The Office of Behavioral Health contracts with 17 community mental health centers (centers) across the state to provide mental health services that are not otherwise available. Each center is responsible for providing a set of core services, ranging from public education to inpatient services. The Office also contracts with four managed service organizations (MSOs) for the provision of substance use disorder treatment and detoxification services that are not otherwise available. MSOs subcontract with local treatment providers across the state to deliver these services. Finally, the Office also contracts with other organizations to provide certain types of treatment services or services targeting specific populations.

Most mental health and substance use disorder services for Medicaid-eligible clients are funded through the Department of Health Care Policy and Financing. Unlike the Medicaid program, behavioral health services provided through this department are not an entitlement. Thus, the number of individuals receiving services and the level of service provided is largely driven by the level of state and federal funds available each year. The General Assembly periodically adjusts funding for the centers, MSOs, and other community providers to account for inflationary changes and to ensure that programs are viable over the long-term. The rate changes are generally consistent with the common policy adopted by the Joint Budget Committee for a variety of community providers.

The General Assembly also appropriates additional funds for the provision of specific services or services targeting specific populations (e.g., alternative placements for people who would otherwise require hospitalization at a mental health institute, school-based behavioral health services for children, and services for juvenile and adult offenders).

For FY 2020-21, General Fund appropriations provide more than half of available funds. Other significant sources of state funds include: the Marijuana Tax Cash Fund (MTCF), transfers from the Judicial Department from the Correctional Treatment Cash Fund, the Persistent Drunk Driver Cash Fund, and Medicaid funds transferred from the Department of Health Care Policy and Financing. Federal funds are primarily from the Mental Health Services Block Grant and the Substance Abuse Prevention and Treatment Block Grant.

The following chart depicts funding available for community-based behavioral health services since FY 2011-12.



## SERVICES FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

### REGIONAL CENTERS

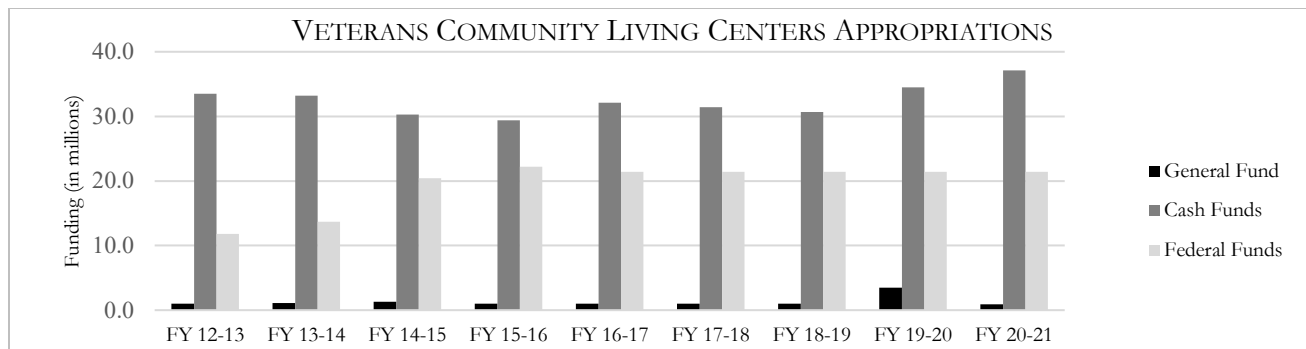
Regional centers are state operated facilities for individuals with intellectual and developmental disabilities (IDD). They provide residential services, medical care, and active treatment programs based on individual assessments and habilitation plans. Regional center services are provided in one of two settings: large congregate residential settings on the regional center campus or group homes that serve four to eight individuals in a community setting. Regional Centers are licensed as either Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID) or Adult Comprehensive Waiver Homes (waiver homes). For all the regional centers, regardless of licensure type,

Medicaid pays a daily rate based on the actual cost of services and the cost of operating the facilities where services are provided. Fiscal year 2018-19 actual expenditures and FY 2019-20 estimated expenditures for each regional center are provided below:

AVERAGE REGIONAL CENTER PER CAPITA (COST PER PERSON PER DAY) AND DETAILED COSTS BY REGIONAL CENTER AND LICENSE TYPE			
REGIONAL CENTER	COST	FY 2018-19 (PRE-AUDIT)	FY 2019-20 (ESTIMATED)
Grand Junction Regional Center- Intermediate Care Facility/Individuals with Intellectual Disabilities	ICF average cost per person per day	\$1,366.80	\$1,316.29
	ICF billable census days	7,262	7,869
	ICF direct costs	\$8,001,440	\$8,301,494
	Indirect costs	1,614,679	1,675,229
	Utilities	147,795	153,337
	Depreciation	161,791	227,859
TOTAL COST		\$ 9,925,705	\$10,357,919
Grand Junction Regional Center- Home and Community-based Services/Developmental Disabilities	HCBS Waiver average cost per person per day	\$744.33	\$809.92
	ICF billable census days	19,844	19,032
	ICF direct costs	\$12,377,822	\$12,841,990
	Indirect costs	2,219,577	2,302,811
	Utilities	159,804	165,797
	Depreciation	13,271	103,769
TOTAL COST		14,770,474	15,414,367
Pueblo Regional Center-Home and Community-based Services/Developmental Disabilities	HCBS Waiver average cost per person per day	\$919.25	\$884.96
	ICF billable census days	16,641	17,934
	ICF direct costs	\$12,788,914	\$13,268,498
	Indirect costs	2,309,049	2,395,638
	Utilities	121,771	126,338
	Depreciation	77,506	80,413
TOTAL COST		\$15,297,240	\$15,870,887
Wheat Ridge Regional Center-Home and Community-based Services/Developmental Disabilities	HCBS Waiver average cost per person per day	\$839.84	\$843.98
	ICF billable census days	43,636	44,286
	ICF direct costs	\$32,123,959	\$32,766,438
	Indirect costs	3,842,631	3,919,616
	Utilities	493,898	503,776
	Depreciation	186,644	186,644
TOTAL COST		\$36,647,132	\$37,376,474

## VETERANS COMMUNITY LIVING CENTERS

The Department manages and operates five state veterans community living centers with a total of 554 nursing home beds spread across the Fitzsimons, Florence, Homelake, Rifle, and Walsenburg campuses and a forty-eight bed domiciliary (assisted living facility) on the Homelake campus. Services include long-term care, short-term rehabilitation for individuals seeking to return home following a qualifying hospital stay, memory care services for individuals with dementia, short-term respite care, and end-of-life/hospice services. The centers are supported primarily by cash funds and federal funds. Cash fund sources include revenue from patient payments, U.S. Veterans Administration operation and construction grants, various sources of other revenue, and a General Fund appropriation pursuant to Section 26-12-108 (1)(a.5), C.R.S. Federal funds are from the U.S. Department of Veterans Affairs. The informational appropriation is adjusted each fiscal year based on projected expenditures for the upcoming fiscal year.

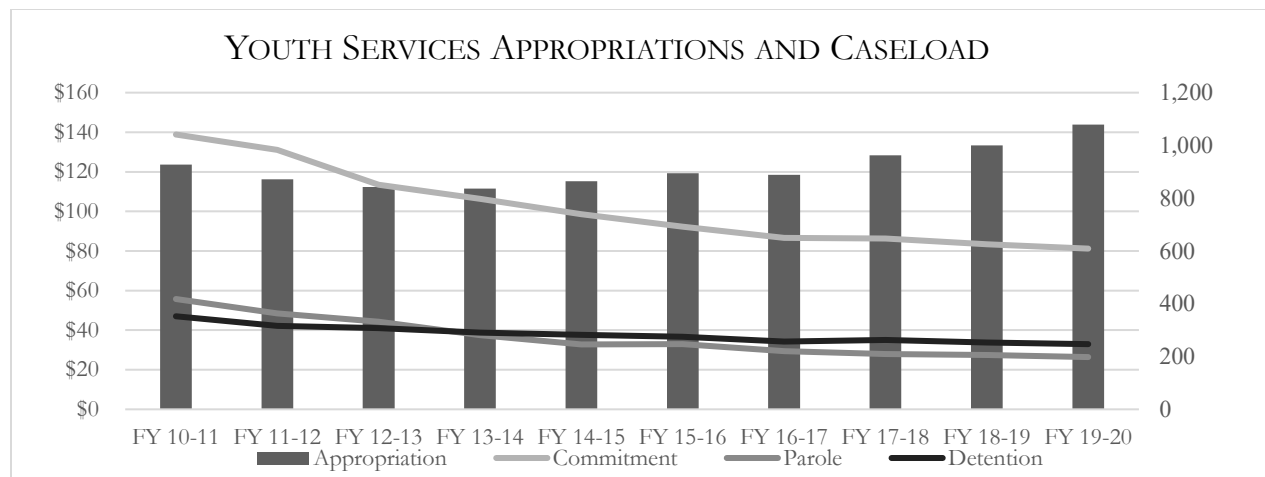


Note: The chart includes the actual expenditures for FY 2012-13 through FY 2018-19 and the appropriations for FY 2019-20 and FY 2020-21.

## DIVISION OF YOUTH SERVICES

The Division of Youth Services provides housing and rehabilitation services for juveniles who are detained while awaiting adjudication (similar to adult jail), or committed for a period of time as a result of a juvenile delinquent adjudication (similar to adult prison). The Division also supervises juveniles during a mandatory parole period following all commitment sentences. Nearly all of the appropriations supporting the youth correctional population are from the General Fund (96.2 percent of the total funds in FY 2019-20). The population size of detained, committed, and paroled juveniles drives appropriations.

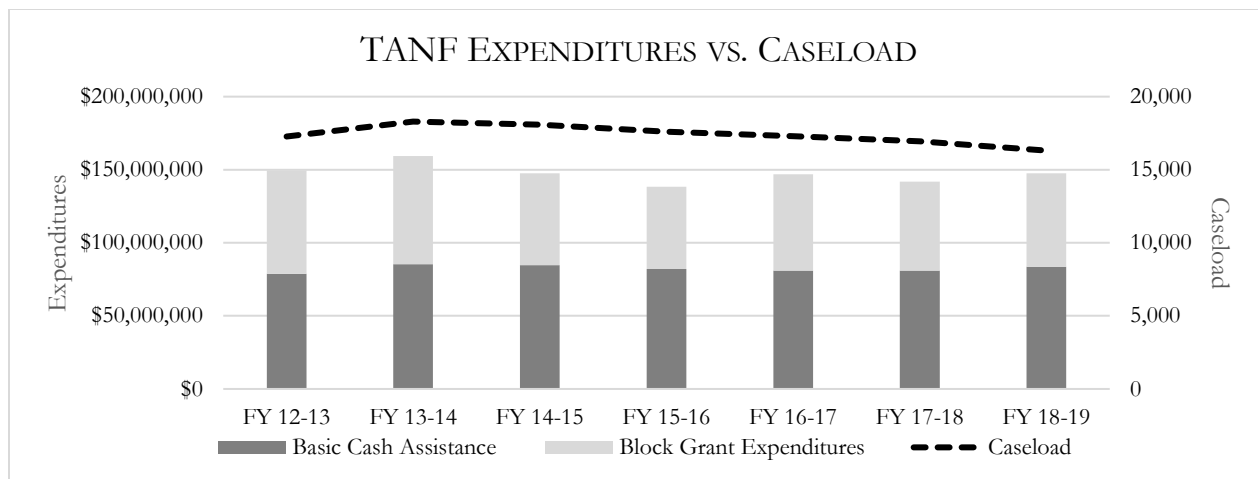
In addition to caseload-related funding adjustments, since FY 2014-15 the Division has received additional funding to add over 200 new staff positions to improve staff-to-youth ratios in an effort to create safer environments for staff and youth in its ten state-owned and state-operated facilities. This has impacted the Division's budget more than any other factor. From FY 2014-15 through FY 2017-18, the Division's budget increased by \$11.8 million General Fund for new employees at the facilities. Unlike fiscal years prior to FY 2014-15, this caused the Division's budget to increase despite commitment, detention, and parole populations decreasing. For FY 2018-19, the Division received an additional \$2.6 million General Fund for 69 new security-focused positions (49.5 FTE).



## OFFICE OF SELF SUFFICIENCY

### COLORADO WORKS AND THE TEMPORARY ASSISTANCE TO NEEDY FAMILIES BLOCK GRANT

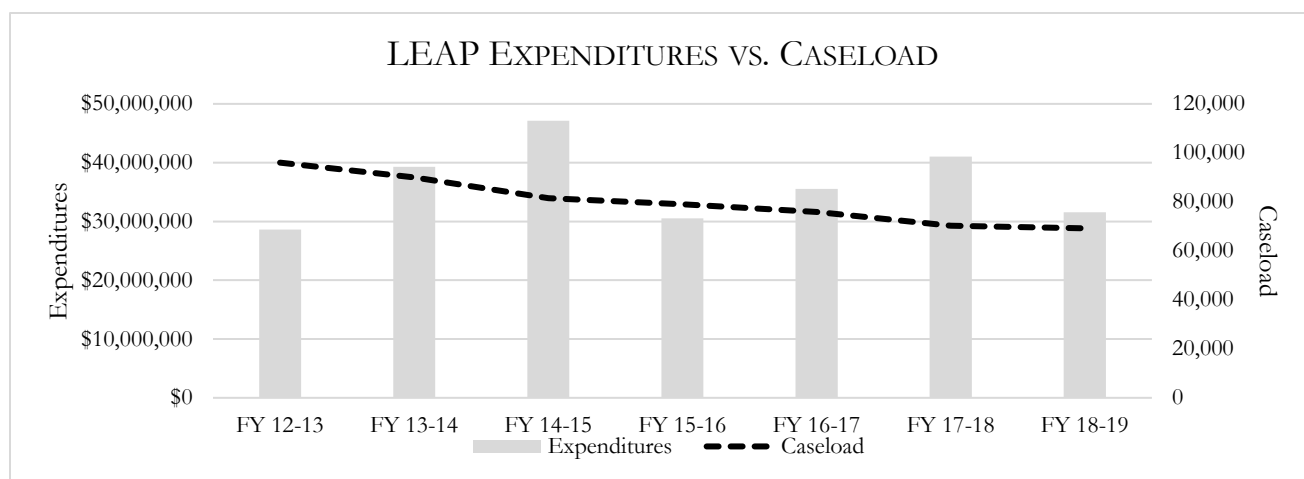
The Colorado Works Program implements the federal TANF block grant program created in the 1996 welfare reform law. The program provides financial and other assistance to families to enable children to be cared for in their own homes and to assist needy parents in achieving self-sufficiency. Pursuant to federal law, the state receives a fixed amount of \$136.1 million per year in TANF block grant funds. The majority of the TANF funds received are allocated as block grants to counties for the provision of basic cash assistance payments to families. TANF funds are also used by the state and counties to support related programs that assist families, including employment and training opportunities and child care assistance.



Federal law allows states to retain any unexpended TANF funds for future years in the event of economic downturns or caseload increases. State statute (Section 26-2-714, C.R.S.) allows for counties to maintain a reserve account of up to 40 percent of its annual TANF block grant. These funds are often used to cover child welfare deficits, for child care quality activities, and to cover child care assistance deficits, as is allowed by federal and state law. At the beginning of FY 2019-20, county reserves totaled \$57.7 million. State statute (Section 26-2-721, C.R.S.) also allows the Department of Human Services to maintain a reserve (Long-term Works Reserve). At the beginning of FY 2019-20, the Long-term Works Reserve totaled \$91.3 million.

#### LOW INCOME ENERGY ASSISTANCE PROGRAM

The Low-Income Energy Assistance Program (LEAP) is a federally funded initiative that helps eligible families, seniors, and individuals pay a portion of their winter home heating costs (November 1<sup>st</sup> to April 30<sup>th</sup>). LEAP is not intended to pay the entire cost of home heating, but rather to help alleviate some of the burden associated with the colder months. In most cases, payments are made directly to the primary heating fuel vendor and a notice is sent to the household informing them of the benefit amount. The energy assistance benefit varies depending on a variety of factors, including the cost of heating a beneficiary's home, the amount of the available LEAP funding, and applications received. The program pays the highest benefits to those with the highest heating costs. Other benefits provided by LEAP include repair or replacement of a home's primary heating system, such as a furnace or wood-burning stove.



The majority of funds for LEAP come from the federal government through the Low Income Home Energy Assistance Program (LIHEAP). In FY 2018-19, the federal LEAP block grant totaled \$53.8 million. Like several other federal programs administered by Colorado's executive branch, the General Assembly has little control over the federal funding for LEAP. The program receives a statutory transfer (Section 39-29-109.3, C.R.S.) of severance tax

money up to \$3,250,000. These funds are transferred into the Department of Human Services' Low-income Energy Assistance Fund. This transfer, which is part of the Natural Resources and Energy Grant Program distribution of money from the Severance Tax Operational Fund, varies from year to year based on severance tax collections.

## ADULT ASSISTANCE PROGRAMS

### OLD AGE PENSION PROGRAM

The Old Age Pension (OAP) Program, authorized by Section 1 of Article XXIV of the State Constitution, provides cash assistance to low-income individuals age 60 and over. It is funded through excise and state sales taxes deposited into the OAP cash fund in lieu of the General Fund. Costs for this program are driven by the size of the benefit and the number of qualified individuals. The General Assembly has limited control over OAP expenditures as the State Constitution guarantees the benefit, and levels are set by the State Board of Human Services. The Long Bill appropriation reflects anticipated expenditures and is shown for informational purposes only. Expenditures for the OAP Program are driven by the amount of the benefit claimed, caseload, and cost-of-living (COLA) increases approved by the State Board of Human Services. For FY 2020-21, the State Board approved a COLA increase of 1.6 percent, raising the monthly grant standard from \$809 to \$821.

### COMMUNITY SERVICES FOR THE ELDERLY

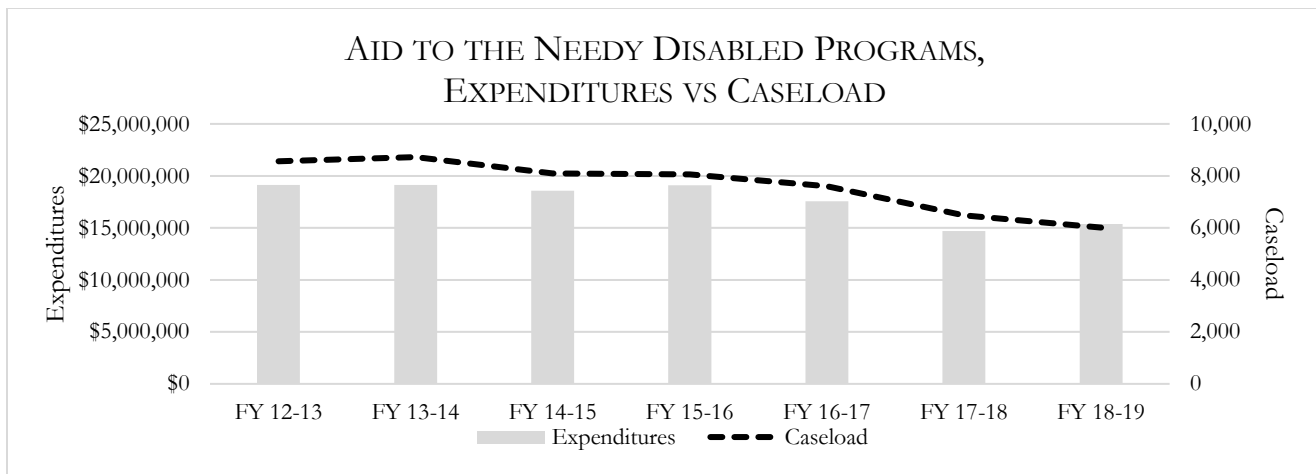
State and federal funds are distributed to 16 Area Agencies on Aging (AAAs) for the provision of a variety of community services for the elderly such as transportation, congregate meals, in-home meals, and in-home support services. These services are geared toward providing seniors with the opportunity to remain in their homes and communities as long as possible.

Most of the Department's state fund appropriations for these types of services are allocated to the State Funding for Senior Services line item. This line item receives funding through three mechanisms. First, pursuant to Section 39-26-123 (3), C.R.S., \$10.0 million from state excise and sales taxes are transferred to the Older Coloradans Cash Fund. This money would otherwise be deposited in the General Fund. House Bill 20-1367 (Reallocate State Sales & Use Tax To General Fund) temporarily reduced the amount transferred to the Older Coloradans Cash Fund to \$8.0 million for FY 2020-21 only.

Second, in recent years, the General Assembly has appropriated General Fund to support senior services. General Fund appropriations for this purpose have grown from \$0.5 million for FY 2011-12 to \$12.3 million for FY 2020-21. Third, the Department also receives federal funds that it distributes to AAAs to support community-based and in-home services for older adults. The funding derives from the Older Americans Act, which Congress passed in 1965 to spur the development of community social services for older persons. Each state receives Older Americans Act funds according to a formula based on the state's share of the U.S. population age 60 and older. Colorado's share of Older Americans Act funds totals \$17.5 million in FY 2019-20.

### AID TO THE NEEDY DISABLED AND AID TO THE BLIND PROGRAMS

Aid to the Needy Disabled (AND) provides cash assistance to low-income Coloradans with a disability lasting six months or longer that prevents them from working, as documented by a licensed physician. For some beneficiaries, these funds supplement federal Supplemental Security Income (SSI) payments. Other beneficiaries either do not qualify for federal SSI or have pending applications for federal SSI. Funding for this program is comprised of General Fund, county matching funds, and federal reimbursements for payments to individuals who initially receive a state-only subsidy but are ultimately deemed eligible for federal SSI. The Aid to the Blind program provides cash assistance to low-income Colorado residents, age 18 and over, who have at least a six-month total disability that precludes them from working, and who meet the Social Security definition of blindness. The program caseload has decreased from a high of 8,723 in FY 2013-14 to 6,012 in FY 2018-19 (the most recent year of actual data available). In FY 2020-21, the General Assembly provided the Department with \$9.9 million General Fund for the program.



## ADULT PROTECTIVE SERVICES

Colorado's Adult Protective Services (APS) system, enacted in 1991, is designed to protect vulnerable or at-risk adults who, because of age or mental or physical ability, are unable to obtain services or otherwise protect their own health, safety, and welfare. Adult protective services are delivered under a state-supervised and county-administered model. Senate Bill 15-109 (Mandatory Abuse Report for Adult with a Disability) expanded the mandatory reporting requirement for at-risk adults to cover known or suspected abuse of at-risk adults with intellectual or developmental disabilities.

Section 26-3.1-103, C.R.S., mandates that counties receiving reports of mistreatment or self-neglect must immediately make an evaluation of the reported level of risk. The evaluation must include a determination of a response period and whether an investigation of the allegations is required. If a county determines that an investigation is required, it is responsible for ensuring an investigation is conducted and arranging for the subsequent provision of protective services to be conducted by persons trained to conduct such investigations and provide protective services. For FY 2018-19, the most recent year of actual data, allegations regarding self-neglect, caretaker neglect, and exploitation represent the greatest number of allegations and are investigated at higher rates (62.4 percent, 34.5 percent, and 25.3 percent) than allegations of physical abuse and sexual abuse (20.1 percent and 25.3 percent), respectively.

FY 2018-19 ADULT PROTECTIVE SERVICES ALLEGATIONS <sup>1</sup>			
ALLEGATION TYPE	# ALLEGATIONS RECEIVED (AS PART OF A REPORT TO APS)	# ALLEGATIONS INVESTIGATED (AS PART OF A REPORT TO APS)	
Caretaker neglect	5,501	1,896	
Exploitation	6,751	1,706	
Physical abuse	4,251	853	
Sexual abuse	750	190	
Self-neglect	7,751	4,834	
<b>Total</b>	<b>25,004</b>	<b>9,479</b>	

<sup>1</sup> Data calculated based on Colorado Adult Protective Services Annual Report - Fiscal Year 2018-19.

[https://www.coloradoaps.com/uploads/5/0/9/7/50975653/aps\\_annual\\_report\\_-\\_fy\\_2019.pdf](https://www.coloradoaps.com/uploads/5/0/9/7/50975653/aps_annual_report_-_fy_2019.pdf)

State-supervision of APS includes training for county-level adult protective services caseworkers and supervisors to achieve consistency in the performance of statutory duties, as outlined in Section 26-3.1-103, C.R.S. The General Assembly appropriated \$978,913 General Fund and 8.5 FTE in FY 2020-21 for state-supervision of APS. Funding for county-administration of APS is from the General Fund, county funds, and the federal Title XX Social Services Block Grant. General Fund appropriations for counties total \$12.4 million in FY 2020-21. State funding has increased by nearly 60.0 percent in the last six years, driven by the implementation of S.B. 13-111 (Require Reports of Elder Abuse and Exploitation) and S.B. 15-109 (Mandatory Abuse Report for Adult with a Disability), both of which included appropriations to fund additional county staff to address the increased workload.

# APPROPRIATION

## HIGHLIGHTS - 2020 LEGISLATIVE SESSION

DEPARTMENT OF HUMAN SERVICES						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$2,305,389,929	\$1,033,037,078	\$431,621,749	\$203,762,670	\$636,968,432	5,132.3
SB 19-008	1,963,832	1,963,832	0	0	0	1.5
SB 19-063	50,688	0	0	0	50,688	0.0
SB 19-108	500,000	500,000	0	0	0	0.0
SB 19-136	259,562	259,562	0	0	0	0.5
SB 19-178	60,204	42,143	0	0	18,061	0.0
SB 19-195	442,449	142,449	0	300,000	0	1.5
SB 19-210	(1,886,812)	(1,886,812)	0	0	0	(31.5)
SB 19-222	220,707	0	0	0	220,707	1.0
SB 19-223	8,141,194	8,141,194	0	0	0	19.0
SB 19-228	1,192,367	0	1,192,367	0	0	2.1
SB 19-235	136,240	61,301	9,973	0	64,966	0.0
SB 19-258	19,400,000	0	0	9,700,000	9,700,000	0.0
HB 19-1009	50,000	50,000	0	0	0	0.0
HB 19-1069	19,440	0	0	19,440	0	0.0
HB 19-1142	14,093	14,093	0	0	0	0.3
HB 19-1147	900,000	450,000	0	450,000	0	0.0
HB 19-1193	500,000	500,000	0	0	0	0.6
HB 19-1215	143,650	0	143,650	0	0	0.0
HB 19-1223	1,450,000	0	1,450,000	0	0	0.8
HB 19-1262	25,094	25,094	0	0	0	0.3
HB 19-1287	5,589,344	0	5,589,344	0	0	2.5
HB 20-1197	500,000	500,000	0	0	0	0.0
HB 20-1248	4,762,115	(2,259,880)	5,980,464	(2,373,080)	3,414,611	11.8
HB 20-1360	(4,662,948)	(27,069,899)	0	(650,000)	23,056,951	(8.5)
HB 20-1411	13,080,000	13,080,000	0	0	0	0.0
HB 20-1422	500,000	500,000	0	0	0	0.0
<b>TOTAL</b>	<b>\$2,358,741,148</b>	<b>\$1,028,050,155</b>	<b>\$445,987,547</b>	<b>\$211,209,030</b>	<b>\$673,494,416</b>	<b>5,134.2</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$2,358,741,148	\$1,028,050,155	\$445,987,547	\$211,209,030	\$673,494,416	5,134.2
COVID-19 expenditures	26,125,246	0	0	0	26,125,246	0.0
Child care and early development	8,297,656	(1,341,886)	1,803,437	0	7,836,105	7.2
Indirect cost assessment	5,474,764	0	97,523	3,919,817	1,457,424	0.0
Mental health institutes	4,559,043	4,559,043	0	0	0	36.0
Joint agency interoperability	4,162,434	1,566,016	0	3,793,859	(1,197,441)	0.0
Annual depreciation	3,103,396	3,103,396	0	0	0	0.0
Consent Decree fines and fees	2,947,000	2,947,000	0	0	0	0.0
Colorado Works Program	1,500,000	0	0	0	1,500,000	0.0
Annualize prior year budget actions	1,198,582	21,428,813	(363,286)	(691,106)	(19,175,839)	(17.6)
Rural Interpreting Services Program	700,000	0	0	700,000	0	5.0
Early childhood intervention and prevention services	631,119	(47,945)	679,064	0	0	0.0
Child welfare programs	615,670	(10,374,725)	1,004,726	(1,900,000)	11,885,669	(1.0)
Human resource staffing	538,713	0	27,082	367,640	143,991	7.7
Domestic violence programs	500,000	500,000	0	0	0	0.0
Records and Reports Fund	352,448	0	352,448	0	0	1.0
Child support reimbursements	269,361	269,361	0	0	0	0.0
Regional center funding	100,000	100,000	0	0	0	0.0
Veterans Community Living Centers	0	(2,669,922)	2,669,922	0	0	0.0
Older Coloradans Cash Fund	0	(3,000,000)	3,000,000	0	0	0.0
Annualize prior year legislation	(37,228,303)	(4,453,236)	(5,149,081)	(9,067,433)	(18,558,553)	16.1
Budget balancing adjustments	(26,252,834)	(26,252,834)	0	0	0	(1.0)
Old age pension	(22,268,490)	0	(22,268,490)	0	0	0.0
Centrally appropriated line item	(15,448,486)	(15,905,081)	(153,038)	1,415,037	(805,404)	0.0



DEPARTMENT OF HUMAN SERVICES						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Substance use programs	(10,919,960)	(6,282,960)	(4,000,000)	(637,000)	0	0.0
Provider rates	(6,805,546)	(5,353,890)	(1,322,998)	1,782,745	(1,911,403)	0.0
Division of Youth Services	(4,999,723)	(5,470,682)	1,000,000	(250,729)	(278,312)	0.0
Other behavioral health programs	(3,923,639)	(2,947,000)	(976,639)	0	0	0.0
Aid to the Needy Disabled	(2,700,000)	(2,700,000)	0	0	0	0.0
Community mental health programs	(2,000,000)	(1,000,000)	(1,000,000)	0	0	0.0
Tony Gramscas Youth Services Program	(1,127,047)	0	(627,047)	(500,000)	0	0.0
<b>HB 20-1360</b>	<b>\$2,286,142,552</b>	<b>\$974,723,623</b>	<b>\$420,761,170</b>	<b>\$210,141,860</b>	<b>\$680,515,899</b>	<b>5,187.6</b>
SB 20-028	74,620	74,620	0	0	0	0.0
SB 20-029	8,424,500	0	0	0	8,424,500	0.0
SB 20-162	637,691	(389,760)	0	936,412	91,039	1.7
HB 20-1153	96,132	0	96,132	0	0	0.0
HB 20-1379	(7,450,138)	(5,576,328)	(74,354)	(1,799,456)	0	0.0
HB 20-1384	(495,380)	(195,380)	0	(300,000)	0	(2.5)
HB 20-1388	(4,254,999)	(4,254,999)	0	0	0	(0.7)
HB 20-1390	(610,854)	(610,854)	0	0	0	(4.0)
HB 20-1391	(546,013)	0	(546,013)	0	0	(2.5)
HB 20-1392	(238,497)	(238,497)	0	0	0	(1.0)
HB 20-1398	(3,103,396)	(3,103,396)	0	0	0	0.0
<b>TOTAL</b>	<b>\$2,278,676,218</b>	<b>\$960,429,029</b>	<b>\$420,236,935</b>	<b>\$208,978,816</b>	<b>\$689,031,438</b>	<b>5,178.6</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$80,064,930)</b>	<b>(\$67,621,126)</b>	<b>(\$25,750,612)</b>	<b>(\$2,230,214)</b>	<b>\$15,537,022</b>	<b>44.4</b>
Percentage Change	(3.4%)	(6.6%)	(5.8%)	(1.1%)	2.3%	0.9%

<sup>1</sup> Includes appropriations from the CARE subfund of the General Fund for FY 2019-20 and FY 2020-21.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1197 modifies FY 2019-20 appropriations to provide an increase of \$500,000 from the CARE subfund in the General Fund for a grant to the Colorado 2-1-1 Collaborative to provide human services referral services related to the COVID-19 public health emergency.

House Bill 20-1248 modifies FY 2019-20 appropriations to provide a net increase of \$4,762,115 total funds, including a reduction of \$2,259,880 General Fund, and an increase of 11.8 FTE. Adjustments include:

- An increase of \$2,370,740 cash fund spending authority from the Title IV-E Administrative Cost Cash Fund to implement the provisions of S.B. 19-258 (Child Welfare Prevention and Intervention Funding).
- An increase of \$1,503,074 General Fund to accommodate a higher than anticipated growth in the average monthly enrollment in early intervention services.
- An increase of \$1,433,360 total funds, including \$1,117,239 General Fund, and 5.6 FTE to implement the federal Family First Prevention Services Act of 2018 (Family First) and for ongoing operating and maintenance of the child welfare data management system, Colorado Trails.
- An increase of \$595,953 cash fund spending authority from the Child Welfare Prevention and Intervention Services Cash Fund to implement the provisions of S.B. 18-254 (Child Welfare Reforms).
- An increase of \$500,000 General Fund to cover the non-Medicaid eligible cost of room and board that exceeds resident payments at the Grand Junction and Pueblo Regional Centers.
- A net increase of \$487,558 total funds, including \$137,299 General Fund, and 3.3 FTE for the following: \$347,792 total funds, including \$262,603 General Fund, and 0.3 FTE for background checks associated with the Records and Reports for Child Abuse or Neglect Program; and \$139,766 total funds, including a decrease of \$125,304 General Fund, and 3.0 FTE to correct annualization errors and to implement the Adult Protective Services employee background checks program;
- An increase of \$439,160 General Fund to ensure that the funding for the child support pass-through policy can sustain its anticipated growth.

- An increase of \$337,346 General Fund and 1.7 FTE to purchase drug detection wands for three of the ten youth services centers, hire employees to operate the drug detection wands, and contract for drug detection canines at all ten youth services centers.
- An increase of \$200,000 cash fund spending authority from the Youth Services Program Fund to provide training and technical assistance to Tony Grampsas Youth Services Program grantees in order to improve program and level of evidence evaluation.
- An increase of \$180,410 General Fund and 1.2 FTE to create four unique facilities on the Lookout Mountain campus.
- An increase of General Fund to account for the depreciation costs of non-information technology capital projects pursuant to S.B. 15-211 (Automatic Funding for Capital Assets).
- The modification of fund sources for PERA direct distribution payments, which help to address PERA's unfunded liability. The bill replaces federal funds determined to be uncollectible with General Fund appropriations.
- An increase of \$100,000 General Fund to pay for fines and fees accrued as part of the Consent Decree resulting from the *Center for Legal Advocacy (d/b/a Disability Law Colorado) v. Barnes and Marshall (Colorado Department of Human Services)* lawsuit.
- A net zero adjustment, including a decrease of \$1,500,000 General Fund and a corresponding increase in federal funds spending authority, due to increased utilization of federal Supplemental Nutrition for Needy Families and Child Support fund sources.
- The modification of appropriations for the Colorado Mental Health Institute at Fort Logan (CMHIFL) and the Colorado Mental Health Institute at Pueblo (CMHIP) to reflect updated earned revenue estimates. The adjustments decrease direct General Fund appropriations to the Department of Human Services by \$220,017.
- A net reduction of \$2,725,286 total funds, including a reduction of \$4,194,191 General Fund, for youth services caseload adjustments based on the December 2019 economic forecast.
- A reduction of \$638,356 General Fund to reflect the elimination of the Home Care Allowance Special Populations program from statute as of September 2019.
- A reduction of \$283,340 General Fund for the cost of assessments performed by the Division of Youth Services to meet the requirements of S.B. 19-108 (Juvenile Justice Reform). This reduction is offset by an increase of \$283,340 General Fund in the Judicial Department.

House Bill 20-1360 modifies FY 2019-20 appropriations to provide a net reduction of \$4,662,948 total funds, including a reduction of \$27,069,899 General Fund, and a decrease of 8.5 FTE. Adjustments include:

- An increase of \$19,974,194 informational federal funds from the Coronavirus Relief Fund to cover the Department's anticipated expenditures that result from the COVID-19 disaster emergency;
- An increase of \$1,500,000 federal Temporary Assistance for Needy Families (TANF) block grant funds for county block grant support;
- A reduction of \$1,638,408 General Fund with a corresponding increase in federal TANF block grant funds for Child Welfare Services;
- A reduction of \$19,974,194 General Fund for budget balancing actions;
- A reduction of \$1,800,000 General Fund for contract placements in the Division of Youth Services (DYS);
- A reduction of \$1,500,000 General Fund for Community Transition Services;
- A reduction of \$887,911 General Fund for medical services in DHS;
- A reduction of \$689,161 total funds, including \$633,510 General Fund, and 5.6 FTE associated with the Department's decision to delay the implementation of the federal Family First Prevention Services Act of 2018;
- A reduction of \$650,000 Medicaid reappropriated funds transferred from the Department of Health Care Policy and Financing for the implementation of regional center electronic health records;
- A reduction of \$337,346 General Fund and 1.7 FTE for drug detection devices in DHS;
- A reduction of \$180,410 General Fund and 1.2 FTE at the DHS Lookout Mountain Youth Services Center; and
- A reduction of \$118,120 General Fund for child support pass-through.

House Bill 20-1411 modifies FY 2019-20 appropriations to provide an increase of \$13,080,000 from the CARE subfund in the General Fund for behavioral health services related to the COVID-19 public health emergency.

House Bill 20-1422 modifies FY 2019-20 appropriations to provide an increase of \$500,000 from the CARE subfund in the General Fund for the Food Pantry Assistance Grant Program to aid Colorado food pantries and food banks in the purchase of food.

**SUMMARY OF FY 2019-20 BUDGET BALANCING APPROPRIATIONS:** The FY 2019-20 appropriation adjustments in this table include a net reduction of \$26,137,142 total funds, including a reduction of \$27,069,899 General Fund, for budget balancing purposes. Subtotals for each division are provided below.

SUMMARY OF FY 2019-20 BUDGET BALANCING ACTIONS						
DIVISION	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Executive Director's Office	(\$167,625)	(\$167,625)	\$0	\$0	\$0	0.0
Office of Information Technology Services	(650,000)	0	0	(650,000)	0	0.0
Office of Operations	(2,186,303)	(2,186,303)	0	0	0	0.0
Division of Child Welfare	(689,161)	(2,271,918)	0	0	1,582,757	(5.6)
Office of Early Childhood	(188,494)	(188,494)	0	0	0	0.0
Office of Self Sufficiency	(339,065)	(339,065)	0	0	0	0.0
Office Behavioral Health	(14,493,482)	(14,493,482)	0	0	0	0.0
Division of Youth Services	(7,423,012)	(7,423,012)	0	0	0	(2.9)
DEPARTMENT TOTAL	(\$26,137,142)	(\$27,069,899)	\$0	(\$650,000)	\$1,582,757	(8.5)

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**SUMMARY OF FY 2020-21 BUDGET BALANCING APPROPRIATIONS:** The FY 2020-21 appropriation adjustments in this table include a net reduction of \$71,890,381 total funds, including a reduction of \$81,885,458 General Fund, for budget balancing purposes. Subtotals for each division are provided below. This total excludes budget reductions in additional legislation and in central appropriations, with the exception of the Health, Life, and Dental adjustment of \$10,956,714 General Fund in the Executive Director's Office that was made as an alternative to a personal services base reduction.

SUMMARY OF FY 2020-21 BUDGET BALANCING ACTIONS						
DIVISION	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Executive Director's Office	(\$12,066,126)	(\$12,059,154)	\$0	(\$6,972)	\$0	(1.0)
Office of Operations	(5,162,414)	(5,162,414)	0	0	0	0.0
Division of Child Welfare	(5,538,893)	(14,214,247)	(1,039,869)	(500,000)	10,215,223	(1.0)
Office of Early Childhood	(3,134,062)	(5,457,542)	50,790	0	2,272,690	0.0
Office of Self Sufficiency	(133,041)	(114,417)	0	0	(18,624)	0.0
Office of Behavioral Health	(30,332,008)	(25,824,897)	(4,400,487)	(106,624)	0	0.0
Services for People with Disabilities	0	(2,669,922)	2,669,922	0	0	0.0
Adult Assistance Programs	(2,885,409)	(2,826,639)	(37,446)	0	(21,324)	0.0
Division of Youth Services	(12,638,428)	(13,556,226)	979,312	(52,137)	(9,377)	0.0
DEPARTMENT TOTAL	(\$71,890,381)	(\$81,885,458)	(\$1,777,778)	(\$665,733)	\$12,438,588	(2.0)

**COVID-19 EXPENDITURES:** The appropriation includes \$26,125,246 federal Coronavirus Relief Funds, to reflect for informational purposes departmental expenditures resulting from the COVID-19 disaster emergency.

**CHILD CARE AND EARLY DEVELOPMENT:** The appropriation includes a net increase \$8,297,656 total funds, including a reduction of \$1,341,886 General Fund, and an increase of 7.2 FTE to support access to and licensing of child care and early development resources. The appropriation includes:

- \$6.8 million total funds, including \$1.8 million General Fund, for maintenance of effort requirements for the Colorado Child Care Assistance Program;
- \$2.7 million federal funds from the Child Care Development Fund and 7.2 FTE to support access to and licensing of child care services;
- A reduction of \$1.1 million federal Child Care Development Funds to align appropriations with actual expenditures for intrastate CCCAP transfers;
- A reduction of \$100,000 General Fund for early literacy programming; and
- A net zero refinance of \$3.1 million General Fund with federal funds from the Child Care Development Fund.

**MENTAL HEALTH INSTITUTES:** The appropriation includes a net increase of \$4,559,043 General Fund and 36.0 FTE for operations at the State's Mental Health Institutes (Pueblo and Fort Logan). The appropriation includes:

- \$4.1 million and 36.0 FTE to operate and staff the new L2 High Security Forensic Unit at the Colorado Mental Health Institute at Pueblo (CMHIP);
- \$689,371 to upgrade the phone system at CMHIP;
- \$540,894 increase pay for psychologists within the Mental Health Institutes; and
- A reduction of \$750,000 for contract medical expenses at CMHIP.

**INDIRECT COST ASSESSMENT:** The appropriation includes adjustments for the assessment of indirect costs associated with the operations of the Department.

**JOINT AGENCY INTEROPERABILITY:** The appropriation includes \$4,162,434 total funds, including \$1,566,016 General Fund, to fund operations and maintenance of the Joint Agency Interoperability Project, enabling systems or applications to exchange information to allow the Department, county employees, and external partners to better coordinate services provided to children, youth, and families in Colorado.

**ANNUAL DEPRECIATION:** The appropriation includes \$3,103,396 General Fund to account for the cost of depreciation of capital projects pursuant to S.B. 15-211 (Automatic Funding for Capital Assets).

**CONSENT DECREE FINES AND FEES:** The appropriation includes \$2,947,000 General Fund for FY 2020-21 to pay for fines and fees accrued as part of the Consent Decree resulting from the *Center for Legal Advocacy (d/b/a Disability Law Colorado) v. Barnes and Marshall (Colorado Department of Human Services)* lawsuit.

**COLORADO WORKS PROGRAM:** The appropriation includes \$1,500,000 federal funds from the Temporary Assistance to Needy Families block grant to the County Block Grant Support Fund to provide additional resources to small and medium counties severely affected by the current economic downturn.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Budget balancing	\$19,974,194	\$19,974,194	\$0	\$0	\$0	0.0
FY 19-20 Community services transition	1,500,000	1,500,000	0	0	0	0.0
FY 19-20 R1 Mental Health Institute at Pueblo	1,211,935	1,211,935	0	0	0	0.0
FY 19-20 R6 Child support employment	867,297	0	0	0	867,297	0.0
FY 19-20 R2 Compensation for direct care employees	706,258	706,258	0	0	0	0.0
FY 19-20 Payments to OIT	95,220	13,051	44,599	5,699	31,871	0.0
FY 19-20 Workforce Development Council	35,000	0	0	0	35,000	0.0

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 24 Hour child welfare monitoring	33,407	27,728	0	0	5,679	0.2
FY 19-20 Hotline for child abuse and neglect	23,998	23,998	0	0	0	0.0
FY 19-20 CBMS staff development center total compensation	17,511	7,849	1,312	0	8,350	0.0
FY 19-20 Employment affairs staffing	12,687	0	0	12,687	0	0.0
FY 19-20 R10 APS program specialist	0	0	0	0	0	0.2
FY 19-20 COVID-19 expenditures	(19,974,194)	0	0	0	(19,974,194)	0.0
FY 19-20 R2 Compensation for direct care employees	(706,258)	(706,258)	0	0	0	0.0
FY 18-19 Translation services for the deaf and hard of hearing	(700,000)	0	0	(700,000)	0	(8.0)
FY 19-20 County child welfare staff	(500,000)	(367,500)	(50,000)	0	(82,500)	0.0
Leap year	(493,600)	(331,659)	(94,599)	0	(67,342)	0.0
FY 19-20 Division of Youth Services	(488,837)	(480,415)	(5,668)	(2,754)	0	(10.0)
Tony Gramscas Youth Services Program	(250,000)	0	(250,000)	0	0	0.0
FY 19-20 Fines and fees	(154,715)	(154,715)	0	0	0	0.0
FY 19-20 Salary survey	(11,321)	4,347	(8,930)	(6,738)	0	0.0
<b>TOTAL</b>	<b>\$1,198,582</b>	<b>\$21,428,813</b>	<b>(\$363,286)</b>	<b>(\$691,106)</b>	<b>(\$19,175,839)</b>	<b>(17.6)</b>

**RURAL INTERPRETING SERVICES PROGRAM:** The appropriation includes \$700,000 reappropriated funds from the Department of Regulatory Agencies to continue the English/American Sign Language interpreting services program in rural parts of the State.

**EARLY CHILDHOOD INTERVENTION AND PREVENTION SERVICES:** The appropriation includes a net increase of \$631,119 total funds, including a decrease of \$47,945 General Fund, for early childhood intervention and prevention services. The appropriation includes:

- \$1.5 million General Fund to maintain funding for Early Intervention Services;
- \$507,127 cash funds for the Nurse Home Visitor Program;
- A refinance of \$171,937 General Fund with an equivalent amount of cash funds to maintain funding for the Incredible Years Program; and
- A reduction of \$1.4 million General Fund across multiple programs for budget balancing.

**CHILD WELFARE PROGRAMS:** The appropriation includes a net increase of \$615,670 total funds, including a decrease of \$10,374,725 General Fund and a decrease of 1.0 FTE for child welfare programs.

CHILD WELFARE PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Child welfare legal representation	\$6,009,940	\$0	\$6,009,940	\$0	\$0	0.0
Colorado Trails child welfare reporting system	515,488	335,067	0	0	180,421	0.0
Prevention and Intervention Services Cash Fund	598,953	0	598,953	0	0	0.0
Medicaid funding eligibility adjustment	79,166	950,000	395,833	(1,900,000)	633,333	0.0
(M) Note change	0	0	0	0	0	0.0
Child Welfare Services refinance	0	(11,338,408)	0	0	11,338,408	0.0
Title IV-E waiver and evaluation development conclusion	(6,482,762)	(250,009)	(6,000,000)	0	(232,753)	0.0
Foster and adoptive parent training and recruitment	(105,115)	(71,375)	0	0	(33,740)	(1.0)
<b>TOTAL</b>	<b>\$615,670</b>	<b>(\$10,374,725)</b>	<b>\$1,004,726</b>	<b>(\$1,900,000)</b>	<b>\$11,885,669</b>	<b>(1.0)</b>

**HUMAN RESOURCE STAFFING:** The appropriation includes an increase of \$538,713 total funds and 7.7 FTE to increase the number of human resources professionals in the Department.

**DOMESTIC VIOLENCE PROGRAM:** The appropriation includes an increase of \$500,000 from the CARE subfund in the General Fund to support local governments and non-governmental agencies to develop and implement domestic abuse programs.

**RECORDS AND REPORTS FUND:** The appropriation includes \$352,448 cash funds and 1.0 FTE to support background checks for individuals and entities that work with children or at-risk adults, as well as funding to support the appeals process of the Child and Adult Mistreatment Dispute Review Section.

**CHILD SUPPORT REIMBURSEMENTS:** The appropriation includes \$269,361 General Fund to reimburse counties to ensure full implementation of the child support pass-through policy enacted by S.B. 15-012 (Colorado Works Pass-through Child Support Payment).

**REGIONAL CENTER FUNDING:** The appropriation includes \$100,000 General Fund to cover the cost of room and board that exceeds resident payments at the Grand Junction and Pueblo regional centers.

**VETERANS COMMUNITY LIVING CENTERS:** The appropriation includes a decrease of \$2,669,922 General Fund with a corresponding increase in cash fund spending authority from the Central Fund for Veterans Community Living Centers for budget balancing purposes.

**OLDER COLORADANS CASH FUND:** The appropriation includes a net zero refinance of \$3,000,000 General Fund with \$3,000,000 cash funds from the Older Coloradans Cash Fund supporting senior services, including personal care, assisted transportation, congregate meals, home-delivered meals, homemaker services, adult day care, transportation, and legal assistance. The refinance was a budget balancing action.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 20-1360 Long Bill supplemental	\$3,162,948	\$5,595,705	\$0	\$650,000	(\$3,082,757)	8.5
HB 19-1223 Social Security disability application assistance	2,304,999	3,754,999	(1,450,000)	0	0	0.1
SB 18-200 PERA	1,827,794	1,274,871	20,922	422,007	109,994	0.0
SB 19-223 Actions related to competency to proceed	1,339,681	1,339,681	0	0	0	13.5
SB 19-008 Substance use disorder treatment in criminal justice system	1,146,861	1,146,861	0	0	0	0.0
SB 19-195 Behavioral health services for children and youth	52,931	52,931	0	0	0	1.0
SB 19-063 technical correction	50,688	0	0	0	50,688	0.0
HB18-1136 Expand Medicaid benefit for substance use disorder	30,000	0	0	30,000	0	0.0
HB 19-1262 Full-day kindergarten	10,879	10,879	0	0	0	0.3
HB 17-1284 Data system check for employees serving at-risk adults	4,039	(235,087)	239,126	0	0	2.5
SB 19-258 Prevention services funding	(19,400,000)	0	0	(9,700,000)	(9,700,000)	0.0
HB 20-1411 COVID-19 funds allocation for behavioral health	(13,080,000)	(13,080,000)	0	0	0	0.0
HB 20-1248 Supplemental bill	(7,030,208)	(1,837,668)	(3,376,419)	0	(1,816,121)	(9.8)
SB 17-292 Colorado works employment opportunities with wages	(4,000,000)	0	0	0	(4,000,000)	0.0
HB 19-1147 Revise Traumatic Brain Injury Program	(900,000)	(450,000)	0	(450,000)	0	0.0
HB 17-1045 Extend home care allowance grant program	(695,107)	(695,107)	0	0	0	0.0
SB 19-228 Substance use disorders prevention	(529,406)	0	(529,406)	0	0	0.0
HB 20-1197 2-1-1 Statewide human services referral system	(500,000)	(500,000)	0	0	0	0.0

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 20-1422 Food pantry assistance grant program	(500,000)	(500,000)	0	0	0	0.0
SB 19-108 Juvenile justice reform	(220,000)	(220,000)	0	0	0	0.0
SB 19-235 Automatic voter registration	(136,240)	(61,301)	(9,973)	0	(64,966)	0.0
SB 19-063 Infant and family child care action plan	(50,688)	0	0	0	(50,688)	0.0
HB 18-1108 Colorado Commission for the Deaf and Hard of Hearing	(50,000)	(50,000)	0	0	0	0.0
HB 19-1287 Treatment for substance use disorders	(43,331)	0	(43,331)	0	0	0.0
HB 19-1069 Sign language interpreters title certification	(19,440)	0	0	(19,440)	0	0.0
SB 19-222 Behavioral health care for individuals at risk	(4,703)	0	0	0	(4,703)	0.0
<b>TOTAL</b>	<b>(\$37,228,303)</b>	<b>(\$4,453,236)</b>	<b>(\$5,149,081)</b>	<b>(\$9,067,433)</b>	<b>(\$18,558,553)</b>	<b>16.1</b>

**BUDGET BALANCING ADJUSTMENTS:** The appropriation includes a reduction of \$26,252,834 General Fund and 1.0 FTE in various Department line items in which it was determined that costs associated with the COVID-19 disaster emergency should be covered by Coronavirus Relief Funds as opposed to General Fund. The actions were taken for budget balancing purposes.

**OLD AGE PENSION:** The appropriation includes a reduction of \$22,268,490 cash funds from the Old Age Pension Fund to reflect the decrease in caseload and to align the appropriation with actual and projected expenditures for the Old Age Pension Cash Assistance Program.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to the following centrally appropriated line items: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; PERA direct distributions; shift differential; workers' compensation; legal services; administrative law judges; payment to risk management and property funds; vehicle lease payments; Capitol complex leased space; payments to the Governor's Office of Information Technology (OIT); and CORE operations. The appropriation includes a \$10,956,710 Health, Life, and Dental (HLD) reduction in lieu of a General Fund, personal services base reduction. The HLD adjustment is a budget balancing action.

**SUBSTANCE USE PROGRAMS:** The appropriation includes a decrease of \$10,919,960 total funds, including \$6,282,960 General Fund, for budget balancing actions related to substance use programs in the Office of Behavioral Health, including the following reductions:

- \$5.0 million cash funds from the Marijuana Tax Cash Fund to eliminate funding for the Building Substance Use Disorder Treatment Capacity in Underserved Communities Grant Program;
- \$2.8 million total funds, including \$1.3 million General Fund and \$1.5 million cash funds from the Marijuana Tax Cash Fund, for substance use treatment and detoxification services.
- \$1.2 million General Fund to eliminate the FY 2020-21 increase related to S.B 19-008 (Substance Use Disorder Treatment in the Criminal Justice System);
- \$750,000 General Fund for the Short-Term Intensive Residential Remediation and Treatment Program;
- \$637,000 reappropriated funds for the High Risk Pregnant Women program; and
- \$600,000 total funds for the Circle Program, including a decrease of \$3.1 million General Fund and an increase of \$2.5 million cash funds from the Marijuana Tax Cash Fund.

**PROVIDER RATES:** The appropriation includes adjustments in several line items for provider rate adjustments, including:

- A decrease of \$8,701,887 total funds, including \$5,353,890 General Fund, for a 1.0 percent across-the-board reduction for community providers for budget balancing purposes; and
- An increase of \$1,896,341 Medicaid reappropriated funds for a targeted rate increase for providers serving dually-diagnosed children with intellectual and developmental disabilities and severe behavioral health needs.

**DIVISION OF YOUTH SERVICES:** The appropriation includes a net reduction of \$4,999,723 total funds, including a reduction of \$5,470,682 General Fund, for Division of Youth Services programs. Of this amount, a reduction of \$1.2 million is for budget balancing purposes.

DIVISION OF YOUTH SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Youth facilities refurbishment and safety	\$682,192	\$682,192	\$0	\$0	\$0	0.0
Drug detection	208,000	208,000	0	0	0	0.0
SB 91-94 Programs	0	(1,000,000)	1,000,000	0	0	0.0
Caseload	(4,637,778)	(4,160,874)	0	(198,592)	(278,312)	0.0
Youth services contracted services	(1,200,000)	(1,200,000)	0	0	0	0.0
Technical correction	(52,137)	0	0	(52,137)	0	0.0
<b>TOTAL</b>	<b>(\$4,999,723)</b>	<b>(\$5,470,682)</b>	<b>\$1,000,000</b>	<b>(\$250,729)</b>	<b>(\$278,312)</b>	<b>0.0</b>

**OTHER BEHAVIORAL HEALTH PROGRAMS:** The appropriation includes a decrease of \$3,923,639 total funds, including \$2,947,000 General Fund, for budget balancing actions related to behavioral health programs, including the following reductions:

- \$1.1 million General Fund for jail-based behavioral health programs;
- \$1.0 million General Fund for the Community Transition Services program;
- \$600,000 General Fund to eliminate funding for the Crisis Services public information campaign;
- \$546,639 cash funds from the Marijuana Tax Cash Fund to eliminate funding for the Crisis Services secure transportation pilot program;
- \$380,000 cash funds from the Persistent Drunk Driver Cash Fund for contracted marketing expenses and withdrawal management programs, both of which are duplicative to other programs;
- \$247,000 General Fund for the Short-Term Intensive Remedial Treatment (STIRT) program;
- \$50,000 cash funds to eliminate funding for the evaluation of the gambling addiction program. Senate Bill 18-191 (Local Government Limited Gaming Impact Fund) appropriated \$50,000 to the Department in FYs 2018-19 and 2019-20 to develop a plan for a gambling addiction program.

**AID TO THE NEEDY DISABLED:** The appropriation includes a reduction of \$2,700,000 General Fund from the Aid to the Needy Disabled program. This program has reverted on average \$2,700,000 in cash funds in the last two fiscal years, allowing the program to absorb this reduction while maintaining services within existing resources.

**COMMUNITY MENTAL HEALTH PROGRAMS:** The appropriation includes a reduction of \$2,000,000 total funds for budget balancing reductions to contracts with community mental health centers for the following programs:

- \$1.0 million General Fund for Assertive Community Treatment programs; and
- \$1.0 million cash funds from the Marijuana Tax Cash Fund for services for juvenile and adult offenders.

**TONY GRAMPSAS YOUTH SERVICES PROGRAM:** The appropriation includes a total decrease of \$1,127,047 total funds for the Tony Grampsas Youth Services Program for budget balancing purposes.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see the *Appendix A, Recent Legislation*.



# JUDICIAL DEPARTMENT

The Judicial Department consists of the Supreme Court, the Court of Appeals, the district courts, the Denver probate and juvenile courts, and all county courts except the Denver county court. In addition to resolving disputes and delivering justice in criminal and civil cases, the Judicial Department supervises juvenile and adult offenders who are sentenced to probation. The Judicial Department also currently includes seven independent agencies:

- The *Office of the State Public Defender* (OSPD) provides legal representation for indigent defendants in criminal and juvenile delinquency cases where there is a possibility of incarceration.
- The *Office of Alternate Defense Counsel* (OADC) oversees the provision of legal representation to indigent defendants in criminal and juvenile delinquency cases where there is a possibility of incarceration and the OSPD has an ethical conflict of interest. The office provides legal representation by contracting with licensed attorneys across the state.
- The *Office of the Child's Representative* (OCR) oversees the provision of legal services for children, including legal representation of children involved in the court system due to abuse or neglect.
- The *Office of the Respondent Parents' Counsel* (ORPC) oversees the provision of legal representation for indigent parents or guardians who are involved in dependency and neglect proceedings.
- The *Office of the Child Protection Ombudsman* (OCPO) serves as an independent and neutral organization to investigate complaints and grievances about child protection services, make recommendations about system improvements, and serve as a resource for persons involved in the child welfare system.
- The *Independent Ethics Commission* (IEC) provides advice and guidance on ethics-related matters concerning state legislative and executive branch elected officials and employees, as well as elected officials and employees of most Colorado counties and municipalities.
- The *Office of Public Guardianship* (OPG) operates a pilot program in Denver to provide legal guardianship services for incapacitated and indigent adults who have no other guardianship prospects.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	\$517,650,016	\$560,727,218	\$606,121,371	\$580,369,837
Cash Funds	161,594,597	166,229,388	173,009,573	175,497,336
Reappropriated Funds	35,775,245	37,273,036	52,069,633	56,117,497
Federal Funds	4,425,000	4,425,000	4,425,000	4,425,000
<b>TOTAL FUNDS</b>	<b>\$719,444,858</b>	<b>\$768,654,642</b>	<b>\$835,625,577</b>	<b>\$816,409,670</b>
Full Time Equiv. Staff	4,650.3	4,744.8	4,870.8	4,945.8

## GENERAL FACTORS DRIVING THE BUDGET

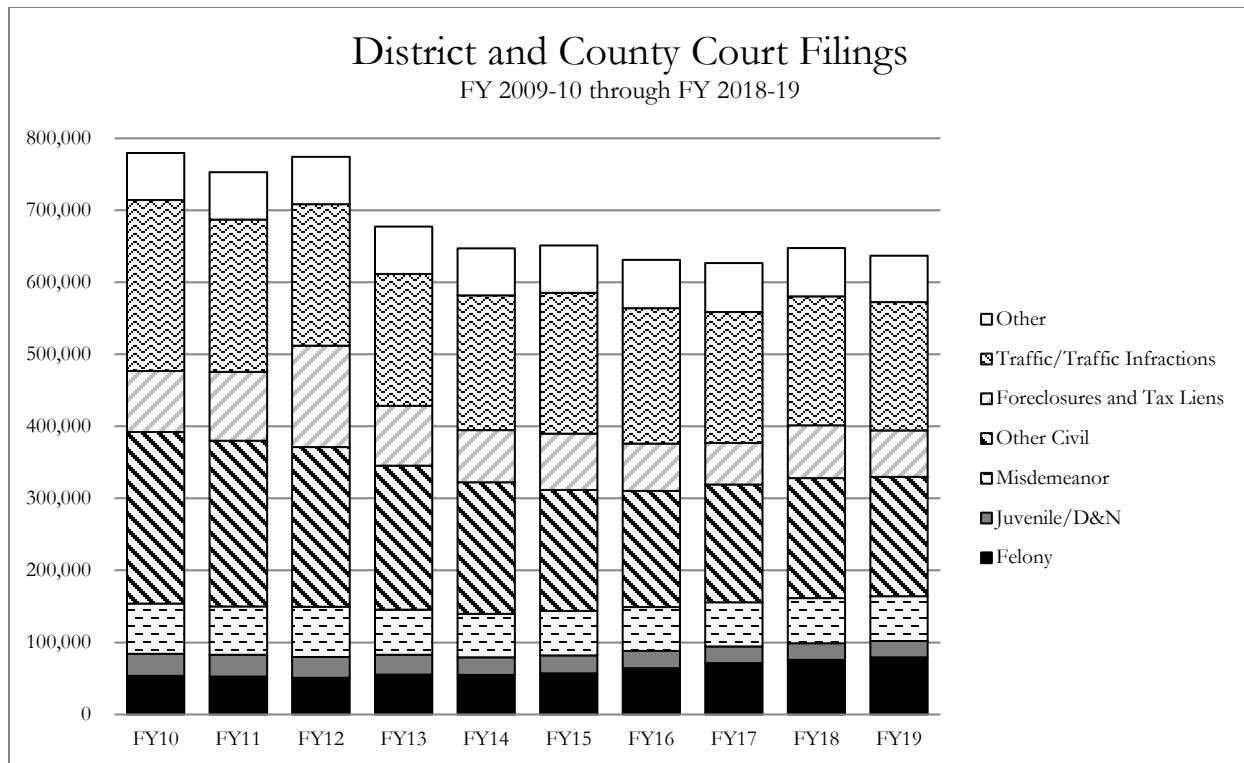
Funding for this department consists of 71.1 percent General Fund, 21.5 percent cash funds, 6.9 percent reappropriated funds, and 0.5 percent federal funds. Some of the major factors driving the Department's budget are discussed below.

The main factor driving the Judicial Branch's budget is caseload, which affects the ability of judges, attorneys, probation officers, and support staff to fulfill their constitutional and statutory duties in a timely and professional manner. Caseload changes are generally driven by increases in state population, changes in the state's economic climate (which may affect both the crime rate and the proportion of clients eligible for state-funded representation), and legislative changes. Workload is also impacted by the types of cases filed, as some cases require more time and

resources than others. Generally, felony cases, dependency and neglect cases, problem-solving court cases, water cases, and complex civil cases require the most resources.

## CASE FILINGS AND THE NEED FOR COURT STAFF

In FY 2018-19, 641,576 new cases were filed in the state court system, including 412,806 (64 percent) in county courts, 224,956 (35 percent) in district and water courts, 2,481 in the Court of Appeals, and 1,333 in the Supreme Court. The following chart depicts the number of cases filed in county and district courts in each of the last ten fiscal years, by case type. Cases are divided into the following categories: felony; juvenile/dependency and neglect ("D&N"); civil – foreclosures and tax liens; civil – other; misdemeanor; traffic/ traffic infractions; and other.



Over the last ten years, *county court* filings decreased by 26.6 percent (149,297 cases). County court cases have declined in every category, but decreases in traffic and civil case filings account for 92.3 percent of the overall decline. Over the same decade, *district court* filings increased by 18.8 percent (35,477 cases), primarily due to increases in tax lien, felony, probate, and mental health cases. As illustrated in the above chart, the number of civil cases involving foreclosures or tax liens has declined significantly since the great recession. While some civil cases can require a significant amount of judge and staff time, foreclosure and tax lien cases generally do not. The case filing data for those case types that do have a significant workload impact is mixed. For example, felony criminal case filings have increased by 42.6 percent in the last four years (16,828 cases), while juvenile cases have declined by 28.1 percent (7,053 cases).

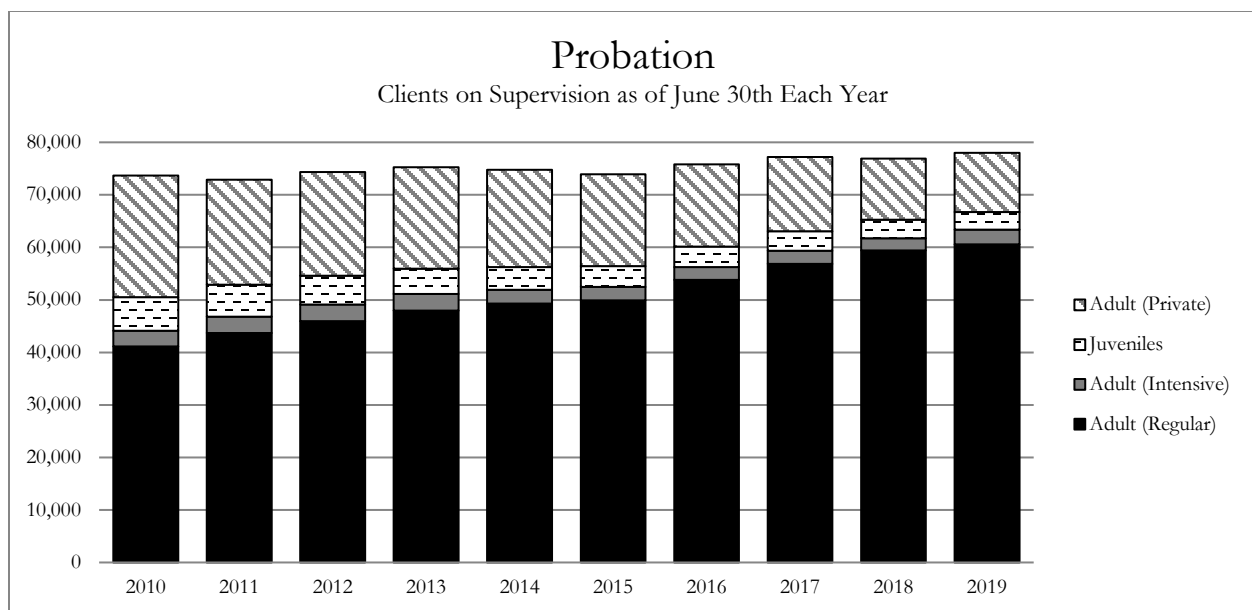
The Department routinely monitors its workload and periodically requests funding and FTE through the budget process or through legislation. In response to workload increases, the General Assembly periodically passes legislation to increase the number of judges within one or more judicial districts.

## PROBATION AND RELATED SERVICES CASELOAD

Individuals sentenced to probation, as an alternative to incarceration, remain under the supervision of the court. Failure to comply with the conditions of probation set forth in the court's sentencing order may result in revocation of probation and a new sentence to jail or prison. Managed by the chief probation officer in each judicial district, approximately 1,300 employees prepare assessments, provide pre-sentence investigation services to the courts, and supervise offenders sentenced to probation. Supervision services are provided based on each offender's risk of re-offending.

Funding for probation services is primarily driven by the number and types of offenders sentenced to probation and statutory requirements concerning probation eligibility and supervision time frames. Those offenders that present a higher risk of re-offending require more resources. For example, the most recent data (FY 2019-20) indicates that the average annual cost of probation supervision ranges from \$1,379 for an adult on "regular" probation, to \$3,883 for an adult on "intensive" supervision, to \$4,902 for an adult on "sex offender" intensive supervision probation; similarly, the average annual cost of probation supervision ranges from \$2,330 for a juvenile on regular probation to \$3,462 for a juvenile on intensive supervision.

The *total* number of offenders on probation has gradually increased since 2010, from 73,694 to 77,989, with two dips along the way. Over that period, the number of adult offenders who are supervised by private probation providers has declined by more than half as the Department relied increasingly on supervision by state employees. The following chart depicts changes in the numbers of adults and juveniles on supervision over that period. Overall, the number of juvenile and adult offenders who are supervised by state staff increased from 50,501 in June 2010 to 66,737 in June 2019 (a 32.1 percent increase). As this number grows, so does the need for probation supervisors, officers, and support staff to adequately supervise offenders. The Department routinely monitors its workload and periodically requests additional funding to adjust probation staffing levels based on the number and types of offenders sentenced to probation.



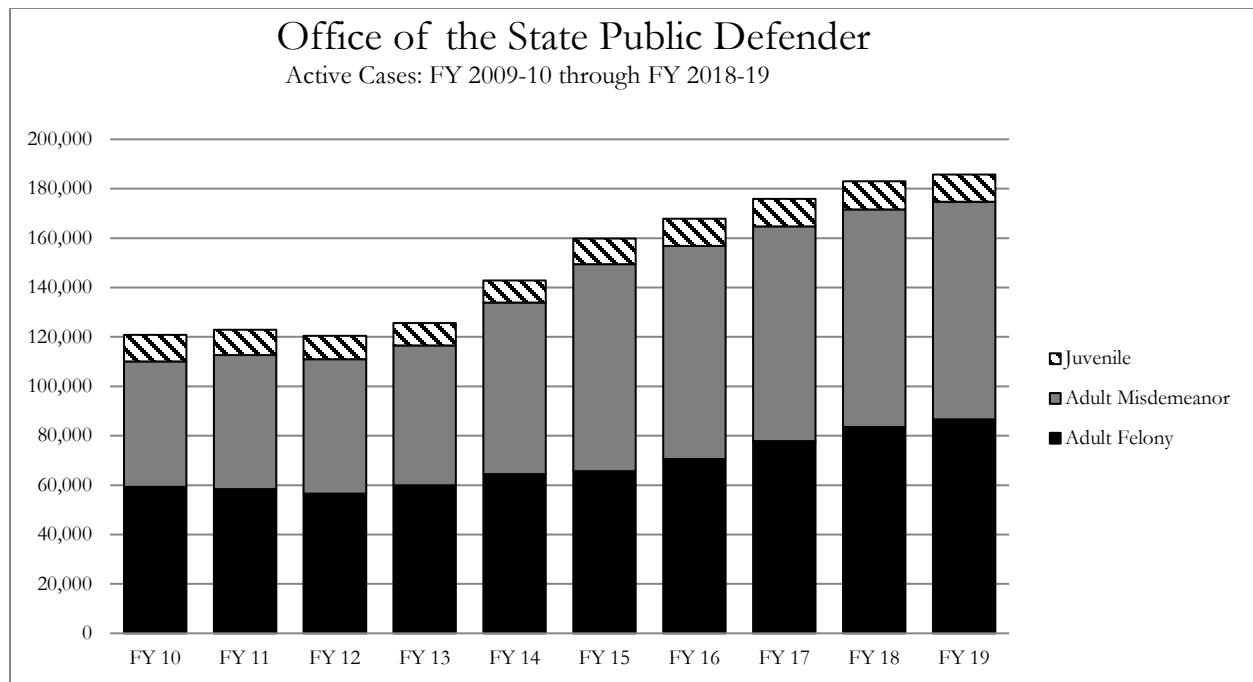
In addition, the General Assembly appropriates state funds to subsidize the cost of required treatment and services for offenders on probation.

## CASELOAD IMPACTS UNIQUE TO INDEPENDENT AGENCIES

The independent agencies that provide legal representation are affected in different ways by changes in the number of cases filed, based on the clients they represent.

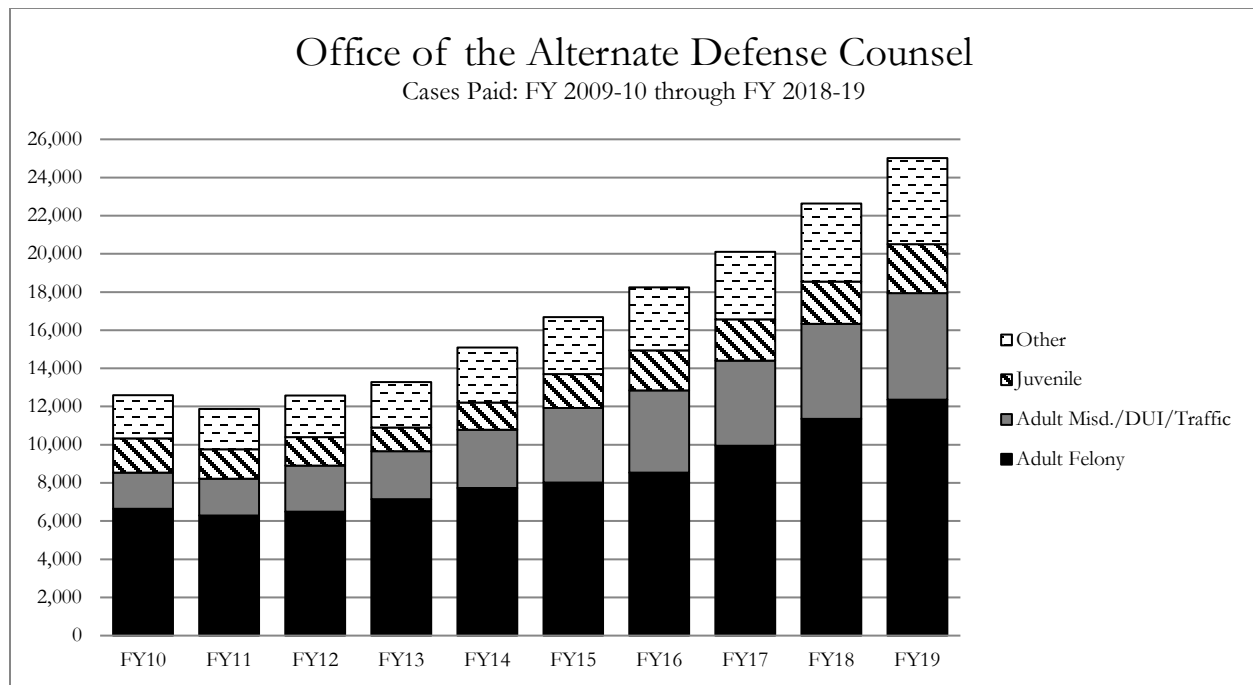
The *Office of the State Public Defender (OSPD)* represents criminal defendants who have inadequate financial resources to pay for their own defense. The OSPD's workload is affected by the number and types of cases filed, as well as the proportion of clients who are eligible for state-funded representation. The OSPD provided legal representation in 185,772 cases in FY 2018-19, at an average cost of \$517 per active case, with felony cases costing more than twice as much as misdemeanor cases. Approximately 90 percent of adult felony defendants receive state funded representation (either through the OSPD or the Office of the Alternate Defense Counsel, which is discussed below), compared to 66 percent of adult misdemeanor defendants. Thus, felony and serious misdemeanor cases are the primary factor driving OSPD staffing needs.

The total number of cases requiring public defender involvement has increased every year but one since FY 2009-10, rising 17,958 (10.7 percent) in the last three years. The biggest component of this increase was 16,081 (22.8 percent) adult felony cases. The number of adult misdemeanor cases has increased by a more modest 1,809 (2.1 percent) over this period. The OSPD routinely monitors its workload and periodically requests additional funding to ensure that staffing levels are sufficient to provide legal representation in an ethical and effective manner.



The *Office of the Alternate Defense Counsel (OADC)* contracts with private attorneys to represent indigent defendants in cases where the OSPD has an ethical conflict of interest in providing legal representation, often because the client is a witness or a co-defendant in a case in which the OSPD is representing someone. The OADC paid for legal representation in 25,022 cases in FY 2018-19, at an average cost of \$1,474 per case. Similar to the OSPD, certain types of cases (e.g., homicide) are more expensive than others; these cases require more hours of attorney time and a higher hourly rate.

As illustrated in the following chart, the OADC's overall caseload has varied more than that of the OSPD. Like the OSPD, it has experienced significant caseload increases in the last three fiscal years (an overall increase of 6,778 cases, a 37.2 percent increase). The OADC experienced increases in every case type, but the most significant increases occurred in adult felony cases (3,813 additional cases, a 44.6 percent increase) and adult misdemeanors, DUI, and Traffic cases (1,280 additional cases, a 29.7 percent increase). As the OADC contracts with private attorneys, it routinely submits requests for budget adjustments to ensure that it has sufficient funding to cover payments for all assigned cases.

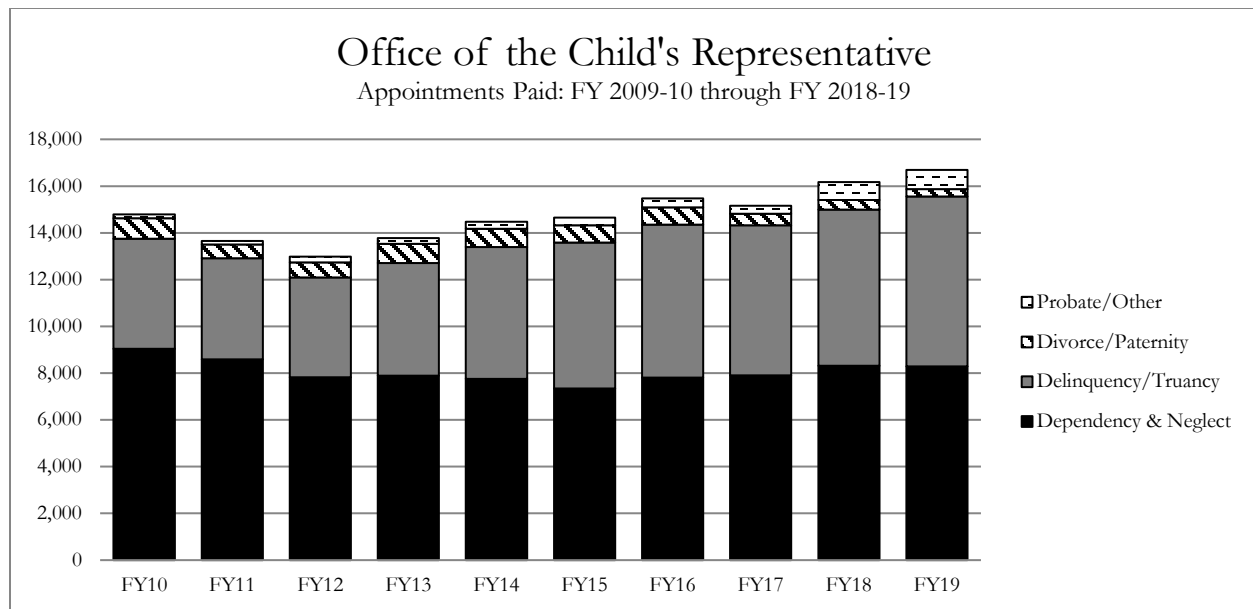


The *Office of the Child's Representative (OCR)* must provide legal representation for children involved in the court system due to dependency and neglect<sup>1</sup> proceedings that involve child abuse, abandonment, or neglect.<sup>2</sup> In addition, courts have the discretion to appoint an attorney to represent children in cases involving juvenile delinquency, truancy, paternity, probate, mental health issues, alcohol or drug abuse, and high-conflict divorce. The attorneys are called guardians ad litem or GAL's. The office provides this representation with a mix of state-employee attorneys from its El Paso county "Office of the GAL" and private-sector contract attorneys paid at hourly rates. The OCR paid for legal representation in 16,689 court appointments in FY 2018-19 at an average cost of \$1,397 per appointment. Similar to the OSPD and OADC, the average cost per appointment varies significantly for different types of cases. For example, in FY 2018-19 the OCR spent an average of \$474 per appointment in truancy cases, \$694 per appointment in juvenile delinquency cases, \$810 per appointment in domestic relations cases, and \$2,120 per appointment in Dependency and Neglect ("D&N") cases. Because D&N cases account for about half the OCR caseload and are more than twice as expensive as any other type of OCR case, these cases typically account for 70 to 80 percent of the OCR's expenditures and are a primary driver of the OCR appropriation.

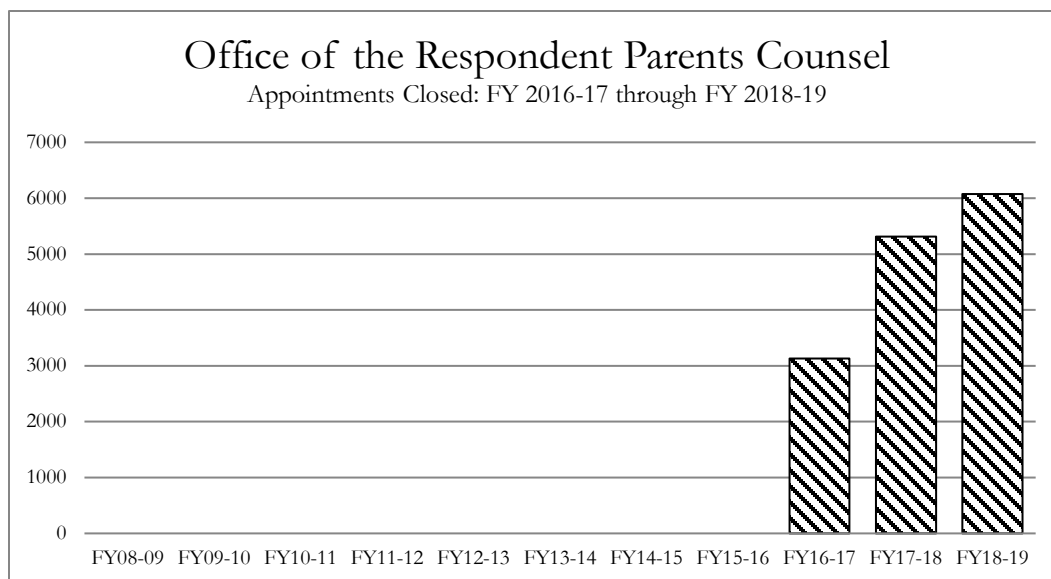
As illustrated in the following chart, the overall number of appointments has increased over the last seven years, which is primarily the result of increased appointments involving juvenile delinquency or truancy; these appointments now account for 43.5 percent of the total, compared to 31.6 percent in FY 2010-11. The OCR routinely submits requests for budget adjustments to ensure that it has sufficient funding and staffing for all assigned cases.

<sup>1</sup> Dependency and Neglect is maltreatment of a child. Section 19-3-102, C.R.S., states that a child is neglected or dependent if a parent, guardian, or legal custodian has abandoned, abused, or mistreated the child, has allowed others to abuse or mistreat the child, has kept the child in an injurious environment, has failed to provide the child with proper parental care or with necessary subsistence, education, and medical care, or has lost control of the child. Also included are cases in which a child has run away from home or a newborn tests positive for illegal drugs.

<sup>2</sup> Section 19-3-203 (1), C.R.S.



The *Office of the Respondent Parents' Counsel* (ORPC) provides legal representation for indigent parents who are in danger of having their parental rights terminated by the courts in dependency and neglect proceedings. The ORPC began providing parents with contract attorney representation in July 2016. Previously the courts directly appointed attorneys for indigent parents in dependency and neglect proceedings, but the Judicial Department did not track the number of "RPC" appointments separately from other appoints. The following chart shows the number of closed appointments each year over the ORPC's short existence.



The *Office of Public Guardianship* (OPG) will begin providing legal guardianship services for incapacitated and indigent adults who have no other guardianship prospects operations during 2020.

# APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

JUDICIAL DEPARTMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$828,444,020	\$605,480,938	\$168,839,189	\$49,698,893	\$4,425,000	4,799.4
SB 19-030	543,461	543,461	0	0	0	4.8
SB 19-043	7,417,731	7,417,731	0	0	0	53.7
SB 19-108	68,598	68,598	0	0	0	0.8
SB 19-180	1,500,000	750,000	750,000	0	0	0.0
SB 19-211	442,543	442,543	0	0	0	0.0
SB 19-223	750,570	750,570	0	0	0	5.4
HB 19-1045	835,386	427,000	408,386	0	0	4.5
HB 19-1177	119,392	119,392	0	0	0	0.0
HB 19-1263	74,409	74,409	0	0	0	0.4
HB 19-1275	47,361	0	47,361	0	0	0.8
HB 19-1310	220,480	0	220,480	0	0	0.0
HB 19-1316	59,850	59,850	0	0	0	0.0
HB 20-1249	3,968,134	1,562,394	35,000	2,370,740	0	1.0
HB 20-1360	(9,216,358)	(11,575,515)	2,359,157	0	0	0.0
HB 20-1410	350,000	0	350,000	0	0	0.0
<b>TOTAL</b>	<b>\$835,625,577</b>	<b>\$606,121,371</b>	<b>\$173,009,573</b>	<b>\$52,069,633</b>	<b>\$4,425,000</b>	<b>4,870.8</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$835,625,577	\$606,121,371	\$173,009,573	\$52,069,633	\$4,425,000	4,870.8
Annualize prior budget actions	4,160,848	6,550,005	(2,389,157)	0	0	1.5
OADC Caseload increase	4,102,615	4,102,615	0	0	0	0.0
Courthouse furnishings and infrastructure maintenance	3,270,406	3,270,406	0	0	0	0.0
OSPD Staffing needs	2,868,888	2,868,888	0	0	0	28.8
ORPC Title IV-E legal representation	2,370,740	0	0	2,370,740	0	0.0
Annualize prior year legislation	1,952,447	2,439,631	(487,184)	0	0	37.2
OCR Title IV-E funding	1,481,902	0	0	1,481,902	0	0.0
Probation -- procurement, officers, and treatment	850,102	0	760,000	90,102	0	0.0
OSPD IT	448,846	448,846	0	0	0	0.0
OSPD Mandated costs	431,712	431,712	0	0	0	0.0
Kronos and DocuSign software services	334,348	334,348	0	0	0	0.0
Contract management office	329,770	329,770	0	0	0	4.0
ORPC Social worker pilot program continuation	318,240	0	0	318,240	0	0.0
Increase OBH funding from Alcohol and Drug Driving Safety Program Fund	281,746	0	281,746	0	0	0.0
Correctional Treatment Cash Fund Expenditures	181,941	0	0	181,941	0	0.0
ORPC Carrie Ann Lucas fellowship	173,522	0	0	173,522	0	1.0
OCR Staff attorney	171,858	0	0	171,858	0	1.0
OSPD Leases	165,103	165,103	0	0	0	0.0
OSPD Grant funding from Denver	85,000	0	85,000	0	0	0.8
OCR Make deputy director and IS manager full time	61,776	0	0	61,776	0	0.4
Increase cash funds for Family-friendly Court Program Grants	44,057	0	44,057	0	0	0.0
ORPC Training	41,000	0	13,000	28,000	0	0.0
Magistrates	30,000	30,000	0	0	0	0.0
CDAC District attorney mandated costs	30,000	0	30,000	0	0	0.0
OCR Training increase	20,000	0	0	20,000	0	0.0
ORPC Operating expenses	14,108	14,108	0	0	0	0.0
Bridges program FTE	0	0	0	0	0	8.0
Raise e-filing fees	0	(5,500,000)	5,500,000	0	0	0.0
Judicial Performance review adjustments	0	(100,000)	100,000	0	0	0.0
Fund Source Adjustment	0	0	(750,000)	750,000	0	0.0
FTE adjustment for judges in small counties	0	0	0	0	0	1.3
OPG Finance with cash funds in FY 2020-21	0	(263,411)	263,411	0	0	0.0

JUDICIAL DEPARTMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Centrally appropriated line items	(9,685,664)	(9,466,454)	(219,210)	0	0	0.0
Carr Center Debt Service Adjustments	(7,104,331)	(3,561,137)	(3,652,690)	109,496	0	0.0
Carr Center maintenance adjustment	(3,600,000)	0	(3,100,000)	(500,000)	0	0.0
Underfunded Courthouse Facilities Grant Program	(2,500,000)	(2,500,000)	0	0	0	0.0
Appropriation to Correctional Treatment Cash Fund	(2,500,000)	(2,500,000)	0	0	0	0.0
Trial court reductions and refinance	(1,950,000)	(7,497,161)	5,547,161	0	0	0.0
Mental Health Criminal Justice Diversion Grant Program	(1,095,573)	(1,095,573)	0	0	0	0.0
Judicial Education	(506,650)	(36,650)	(470,000)	0	0	0.0
Executive training and education	(500,000)	(500,000)	0	0	0	0.0
Family Violence Justice Grants	(500,000)	(500,000)	0	0	0	0.0
Provider rate decrease	(369,992)	(166,010)	(164,028)	(39,954)	0	0.0
Problem Solving Courts	(359,000)	(231,839)	(127,161)	0	0	0.0
Adult Pre-Trial Diversion Program	(300,000)	(300,000)	0	0	0	0.0
Eviction Legal Defense Fund	(300,000)	(150,000)	0	(150,000)	0	0.0
Court Liaison Program	(263,000)	(263,000)	0	0	0	0.0
Technical adjustments	(236,529)	(46,631)	500,000	(689,898)	0	(9.0)
Reduce and refinance courthouse security grants	(229,465)	(379,465)	150,000	0	0	0.0
Indirect cost assessment	(224,800)	312,366	(207,305)	(329,861)	0	0.0
Probation adjustments	(200,000)	(1,600,000)	1,400,000	0	0	0.0
Move and adjust appropriation for SB 19-108 (Juvenile Justice Reform)	(57,260)	(57,260)	0	0	0	0.0
Non-prioritized requests	(14,083)	(14,083)	0	0	0	0.0
IEC Adjustment	(10,000)	(10,000)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$827,340,205</b>	<b>\$590,680,495</b>	<b>\$176,117,213</b>	<b>\$56,117,497</b>	<b>\$4,425,000</b>	<b>4,945.8</b>
SB 20-162	389,760	389,760	0	0	0	0.0
HB 20-1368	(153,377)	(153,377)	0	0	0	0.0
HB 20-1379	(8,470,053)	(7,850,176)	(619,877)	0	0	0.0
HB 20-1394	(2,696,865)	(2,696,865)	0	0	0	0.0
<b>TOTAL</b>	<b>\$816,409,670</b>	<b>\$580,369,837</b>	<b>\$175,497,336</b>	<b>\$56,117,497</b>	<b>\$4,425,000</b>	<b>4,945.8</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$19,215,907)</b>	<b>(\$25,751,534)</b>	<b>\$2,487,763</b>	<b>\$4,047,864</b>	<b>\$0</b>	<b>75.0</b>
Percentage Change	(2.3%)	(4.2%)	1.4%	7.8%	0.0%	1.5%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1249 modifies the FY 2019-20 Judicial Branch appropriation to:

- Provide \$2,370,740 reappropriated funds to the Office of Respondent Parents' Counsel for enhanced legal representation.
- Provide \$1,942,913 General Fund to the Office of Respondent Parents' Counsel for increased caseload and cost per appointment.
- Provide \$283,340 General Fund to the Judicial Department to implement SB 19-108 (Juvenile Justice Reform).
- Provide \$250,860 General Fund to the Judicial Department for mandated costs.
- Provide \$203,612 General Fund to the Judicial Department to fix a problem with the appropriation in S.B. 19-036 (State Court Administrator Reminder Program).
- Provide \$167,920 total funds (\$137,920 General Fund) to the District Attorney in the 18<sup>th</sup> Judicial District to prosecute the STEM School shooting case.
- Provide \$36,002 General Fund for staff attorney salaries in the Office of the Respondent Parents' Counsel.
- Provide \$18,360 General Fund to the Office of the Alternate Defense Counsel and the Office of the Respondent Parents' Counsel for online research tools.
- Provide \$14,909 General Fund to the Office of the Alternate Defense Counsel, the Office of the Child's Representative, and the Office of the Respondent Parents' Counsel for a PERA rate increase.



- Provide \$5,000 cash funds to the Office of the Respondent Parents' Counsel for training.
- Shift \$150,000 General Fund in the Judicial Department from Courthouse Furnishings and Infrastructure Maintenance to Language Interpreters.
- Provide 1.0 FTE for the Bridges Program in the Judicial Department, to be funded within existing appropriations.
- Reduce Courthouse Furnishings and Infrastructure Maintenance in the Judicial Department by \$1,325,522 General Fund.

House Bill 20-1360 includes a budget balancing measure based on Judicial reversions that makes the following one-time adjustments to the Judicial Branch's FY 2019-20 appropriation:

FY 2019-20 JUDICIAL BRANCH APPROPRIATION ADJUSTMENTS IN H.B. 20-1360						
DIVISION	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Supreme Court and Court of Appeals	(\$320,540)	(\$320,540)	\$0	\$0	\$0	0.0
Courts Administration	(2,631,760)	(3,292,856)	661,096	0	0	0.0
Trial Courts	(1,555,767)	(2,811,534)	1,255,767	0	0	0.0
<u>Probation and Related Services</u>	<u>(442,294)</u>	<u>(884,588)</u>	<u>442,294</u>	<u>0</u>	<u>0</u>	<u>0.0</u>
Subtotal: Adjustments for Courts and Probation	(4,950,361)	(7,309,518)	2,359,157	0	0	0.0
Office of the State Public Defender	(500,000)	(500,000)	0	0	0	0.0
Office of the Alternate Defense Counsel	(2,225,997)	(2,225,997)	0	0	0	0.0
Office of the Child's Representative	(1,540,000)	(1,540,000)	0	0	0	0.0
<b>Total for Judicial Branch Agencies</b>	<b>(\$9,216,358)</b>	<b>(\$11,575,515)</b>	<b>\$2,359,157</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

House Bill 20-1410 (COVID-19 Related housing assistance) transfers \$350,000 from the CARE subfund in the General Fund to the Pandemic Subaccount of the Eviction Legal Defense Fund, a subaccount that is created by the bill in the Judicial Department. For FY 2019-20 it appropriates \$350,000 cash funds from the Pandemic Subaccount to the Eviction Legal Defense Grant Program to provide legal assistance to indigent tenants facing eviction related to the COVID-19 pandemic. Any money in the Pandemic Subaccount not expended prior to July 1, 2020, effectively rolls forward to the Judicial Department for the period from July 1, 2020, through December 30, 2020, for the same purpose. Money in the Pandemic Subaccount of the Eviction Legal Defense Fund must be used by December 30, 2020.

**SUMMARY OF FY 2019-20 MID-YEAR BUDGET BALANCING APPROPRIATIONS:** The FY 2019-20 mid-year appropriation adjustments in this table include a reduction of \$9.2 million total funds for budget balancing purposes, comprised of a reduction of \$11.6 million General Fund and an increase of \$2.4 million cash funds.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**SUMMARY OF FY 2020-21 BUDGET BALANCING APPROPRIATIONS:** The FY 2020-21 appropriation adjustments in this table include a reduction for budget balancing purposes of \$28,321,912 total funds, comprised of net reductions of \$41,886,170 General Fund, and increases of \$13,435,972 cash funds and \$128,286 reappropriated funds. This total excludes budget reductions in additional legislation and in central appropriations, with the exception of the Health, Life, and Dental adjustment that was made as an alternative to a personal services base reduction. These actions are described individually below.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 One-time reductions	\$9,216,358	\$11,575,515	(\$2,359,157)	\$0	\$0	0.0
FY 19-20 Add probation officers and supporting staff	1,195,454	1,195,454	0	0	0	12.5
FY 19-20 OSPD Refinance Denver criminal court grant	15,496	15,496	0	0	0	0.3
FY 19-20 ORPC Staff attorney	6,012	6,012	0	0	0	0.0
FY 19-20 ORPC Programs Analyst	3,733	3,733	0	0	0	0.0
FY 19-20 OSPD IT security	3,686	3,686	0	0	0	0.1
FY 19-20 ORPC Administrative Specialist	3,064	3,064	0	0	0	0.0
FY 19-20 Audio visual technical staff and administrative support	2,258	2,258	0	0	0	0.0
FY 19-20 ORPC Compensation plan alignment	166	166	0	0	0	0.0
FY 19-20 1.0 FTE added mid-year in supplemental bill	0	0	0	0	0	1.0
FY 19-20 Courthouse capital	(4,135,390)	(4,135,390)	0	0	0	0.0
FY 19-20 Add probation officers and supporting staff	(1,380,291)	(1,380,291)	0	0	0	(12.5)
FY 17-18 ORPC Social Worker Pilot Program	(302,640)	(302,640)	0	0	0	0.0
FY 19-20 Eliminate 1-time approp for District Attorney mandated costs	(167,920)	(137,920)	(30,000)	0	0	0.0
FY 19-20 OADC Operating expense adjustment	(106,500)	(106,500)	0	0	0	0.0
FY 19-20 OCR Two programs and compliance analyst positions	(90,598)	(90,598)	0	0	0	0.0
FY 19-20 Distance learning specialists	(60,677)	(60,677)	0	0	0	0.0
FY 19-20 OCR Increase Operating Appropriation	(22,857)	(22,857)	0	0	0	0.0
FY 19-20 Centralized Legal Research Team	(13,374)	(13,374)	0	0	0	0.0
FY 19-20 OADC Social worker outreach coordinator	(3,473)	(3,473)	0	0	0	0.0
FY 19-20 OSPD Arapahoe courtroom staffing	(1,658)	(1,658)	0	0	0	0.1
FY 19-20 Merit pay technical adjustment	(1)	(1)	0	0	0	0.0
<b>TOTAL</b>	<b>\$4,160,848</b>	<b>\$6,550,005</b>	<b>(\$2,389,157)</b>	<b>\$0</b>	<b>\$0</b>	<b>1.5</b>

**OADC CASELOAD INCREASE:** The appropriation provides \$4,102,615 General Fund for projected caseload increases at the OADC.

**COURTHOUSE FURNISHINGS AND INFRASTRUCTURE MAINTENANCE:** The appropriation provides \$3,270,406 General Fund for Courthouse Furnishings and Infrastructure Maintenance at several county courts that are modifying their courthouses. This adjustment includes an \$850,750 General Fund reduction that is a budget balancing action.

**OSPD STAFFING NEEDS:** The appropriation provides \$2,868,888 General Fund and 28.8 FTE for projected caseload increases at the OSPD.

**ORPC TITLE IV-E LEGAL REPRESENTATION:** The appropriation provides \$2,370,740 reappropriated funds that trace to federal reimbursements received pursuant to Title IV-E of the Social Security Act for the ORPC to enhance parent representation in dependency and neglect cases where foster care is a possible outcome.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$1,828,730	\$1,740,731	\$87,999	\$0	\$0	0.0
SB 19-043 Increase number of district court judges	500,159	500,159	0	0	0	27.2
HB 19-1263 Offense level for controlled substance possession	433,809	433,809	0	0	0	7.2
HB 19-1229 Preservation of abandoned estate documents	153,377	153,377	0	0	0	0.3
HB 19-1177 Extreme risk protection orders	119,392	119,392	0	0	0	0.0
SB 19-108 Juvenile justice reform	275	275	0	0	0	0.0
HB 20-1410 COVID-19 related housing assistance	(350,000)	0	(350,000)	0	0	0.0

## ANNUALIZE PRIOR YEAR LEGISLATION

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1310 Interest on orders of restitution	(220,480)	0	(220,480)	0	0	0.0
SB 19-223 Competency to proceed	(182,027)	(182,027)	0	0	0	0.6
HB 19-1045 Office of Public Guardianship	(163,589)	(163,589)	0	0	0	1.5
SB 19-036 Court Reminder Program	(94,308)	(94,308)	0	0	0	0.0
SB 19-030 Remedying improper guilty pleas	(65,926)	(65,926)	0	0	0	0.3
HB 19-1275 Criminal record sealing	(4,428)	275	(4,703)	0	0	0.0
HB 19-1316 Modernize marriage laws for minors	(2,250)	(2,250)	0	0	0	0.0
SB 18- 203 Conflict free representation in municipal courts	(287)	(287)	0	0	0	0.1
<b>TOTAL</b>	<b>\$1,952,447</b>	<b>\$2,439,631</b>	<b>(\$487,184)</b>	<b>\$0</b>	<b>\$0</b>	<b>37.2</b>

**OCR TITLE IV-E FUNDING:** The appropriation provides \$1,481,902 reappropriated funds that trace to federal reimbursements received pursuant to Title IV-E of the Social Security Act for the OCR to enhance child representation in dependency and neglect cases where foster care is a possible outcome.

**PROBATION -- PROCUREMENT OFFICERS, AND TREATMENT:** The appropriation provides \$850,102 cash and reappropriated funds for added probation officers and treatment. The Department has a sufficient FTE appropriation so no added FTE are needed.

**OSPD IT:** The appropriation provides \$448,846 General Fund for the OSPD to increase its information technology (IT) capacity to handle the increasing amounts of electronic evidence that it is receiving.

**OSPD MANDATED COSTS:** The appropriation provides \$431,712 General Fund for added mandated costs at the OSPD, which are related to caseload growth.

**KRONOS AND DOCUSIGN SOFTWARE SERVICES:** The appropriation provides \$334,348 General Fund to replace an aging time keeping system that is producing incorrect results and acquire software to increase contracting efficiency.

**CONTRACT MANAGEMENT OFFICE:** The appropriation provides \$329,770 General Fund and 4.0 additional FTE for a contract management office that will deal with material deficiencies in the Department's contracting and procurement procedures.

**ORPC SOCIAL WORKER PILOT PROGRAM CONTINUATION:** The appropriation provides \$318,240 reappropriated funds, tracing to federal Title IV-E reimbursements, to continue a pilot program that aims to improve outcomes in dependency and neglect cases. The program was previously financed with \$318,240 General Fund. The switch from General Fund to reappropriated funds is a budget balancing measure.

**INCREASE OBH FUNDING FROM ALCOHOL AND DRUG DRIVING SAFETY PROGRAM FUND:** The appropriation increases by \$281,746 cash funds from the Alcohol and Drug Driving Safety Program to fund a transfer of that amount to the Office of Behavioral Health (OBH) in the Department of Human Services, where it appears as reappropriated funds.

**CORRECTIONAL TREATMENT CASH FUND EXPENDITURES:** The appropriation increases expenditures from the Correctional Treatment Cash Fund by \$181,941 reappropriated funds, using fund balance to support the increase.

**ORPC CARRIE ANN LUCAS FELLOWSHIP:** The appropriation provides \$173,522 reappropriated funds, tracing to federal Title IV-E reimbursements, and 1.0 FTE to create the Carrie Ann Lucas fellowship, which will employ an attorney to represent parents with disabilities in dependency and neglect cases.

**OCR STAFF ATTORNEY:** The appropriation provides \$171,858 reappropriated funds, tracing to federal Title IV-E reimbursements, and 1.0 FTE to add a staff attorney at the OCR.

**OSPD LEASES:** The appropriation provides \$165,103 General Fund for increased lease expenses at the OSPD. A number of 10-year-old leases are coming up for renewal.

**OSPD GRANT FUNDING FROM DENVER:** The appropriation provides \$85,000 cash funds and 0.8 FTE to create a specialty court in Denver that will focus on children who use guns when they commit crimes. The cash funds trace to a federal grant that Denver received from the federal government.

**OCR MAKE DEPUTY DIRECTOR AND IS MANAGER FULL TIME:** The appropriation provides \$61,776 reappropriated Title IV-E funds and 0.4 FTE to make two part-time OCR employees full time.

**INCREASE CASH FUNDS FOR FAMILY-FRIENDLY COURT PROGRAM GRANTS:** The appropriation provides an additional \$44,057 from the Family-friendly Court Program Cash Fund for grants.

**ORPC TRAINING:** The appropriation provides an additional \$41,000 total funds for training provided by ORPC staff, including \$13,000 cash funds from training fees and \$28,000 reappropriated funds.

**MAGISTRATES:** The appropriation includes an increase of \$30,000 General Fund to correct a technical error related to the appropriation for trial courts.

**CDAC DISTRICT ATTORNEY MANDATED COSTS:** The appropriation provides \$30,000 additional cash funds for District Attorneys. The money flows through the Colorado District Attorney's Council (CDAC).

**OCR TRAINING INCREASE:** The appropriation provides \$20,000 additional reappropriated funds for training at the OCR.

**ORPC OPERATING EXPENSES:** The appropriation provides \$14,108 additional General Fund for operating expenses at the ORPC.

**BRIDGES PROGRAM FTE:** The appropriation provides 8.0 FTE and no funding for the Statewide Behavioral Health Court Liaison Program, which is also known as the Bridges program. The Department is having a difficult time hiring contractors to serve as liaisons and these FTE will allow it to hire state FTE to serve as liaisons. Costs are not expected to increase.

**RAISE E-FILING FEES:** The appropriation provides the Department with \$5,500,000 of cash funds spending authority that will allow it to increase electronic filing fees and use the money to reduce General Fund appropriations by \$5,500,000. This is a budget balancing action.

**JUDICIAL PERFORMANCE REVIEW ADJUSTMENTS:** The appropriation uses \$100,000 from the Judicial Performance Cash Fund to replace the same amount of General Fund in the Office of Judicial Performance Evaluation. This is a budget balancing action.

**FUND SOURCE ADJUSTMENT:** The appropriation corrects the fund source for Eviction Legal Defense Program appropriations.

**FTE ADJUSTMENT FOR JUDGES IN SMALL COUNTIES:** The appropriation provide 1.3 FTE and no funding so the Department can adjust the fractional allocation of FTE for county court judges in a number of small counties where judge workload has increased.

**OPG FINANCE WITH CASH FUNDS IN FY 2020-21:** The appropriation refinances a \$263,411 General Fund appropriation for the Office of Public Guardianship with surplus from the Office of Public Guardianship cash fund.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes the following adjustments to centrally appropriated line items: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; workers' compensation; legal services; payment to risk management and property funds; lease payments, vehicle lease payments; capital outlay; payments to the Governor's Office of Information Technology (OIT); and CORE operations. As a budget balancing measure, the appropriation includes a \$14,887,482 General Fund Health, Life, and Dental reduction in lieu of a General Fund, personal services base reduction.

**CARR CENTER DEBT SERVICE ADJUSTMENTS:** Due to several adjustments the Department has made regarding its debt service payments for the Carr Center, the appropriation for debt services reflects a reduction of \$7,104,331 total funds, including \$3,561,137 General Fund. This adjustment includes a \$3.0 million General Fund reduction that is a budget balancing action.

**CARR CENTER MAINTENANCE ADJUSTMENT:** The appropriation provides \$3.6 million less total funds for Carr Center maintenance and controlled maintenance.

**UNDERFUNDED COURTHOUSE FACILITIES GRANT PROGRAM:** The appropriation provides \$2.5 million less General Fund for the Underfunded Courthouse Facilities Grant Program. This is a budget balancing action.

**APPROPRIATION TO CORRECTIONAL TREATMENT CASH FUND:** The appropriation reduces appropriations to the Correctional Treatment Cash Fund by \$2.5 million General Fund. However, by using fund balance and reducing administrative expenses, grants from the fund (which occur on another budget line) are not expected to decline. This is a budget balancing action.

**TRIAL COURT REDUCTIONS AND REFINANCE:** Through a combination of spending reductions and refinance with cash funds, the appropriation reduces General Fund appropriations for trial courts by \$7,497,161. This is a budget balancing action.

**MENTAL HEALTH CRIMINAL JUSTICE DIVERSION GRANT PROGRAM:** The appropriation provides \$1,095,573 less General Fund for the Mental Health Criminal Justice Diversion Grant Program. This is a budget balancing action.

**JUDICIAL EDUCATION:** The appropriation provides \$506,650 less total funds (including \$36,650 less General Fund) for judicial education and training. This is a budget balancing action.

**EXECUTIVE TRAINING AND EDUCATION:** The appropriation provides \$500,000 less General Fund for executive education and training.

**FAMILY VIOLENCE JUSTICE GRANTS:** The appropriation provides \$500,000 less General Fund for Family Violence Justice Grants. This is a budget balancing action.

**PROVIDER RATE DECREASE:** The appropriation includes a reduction of \$369,992 total funds, including \$166,010 General Fund, due to the 1 percent common policy provider rate decrease. This is a budget balancing action.

**PROBLEM SOLVING COURTS:** The appropriation reduces the appropriation for problem solving courts by \$359,000 total funds, including \$231,839 General Fund. This is a budget balancing action.

**ADULT PRE-TRIAL DIVERSION PROGRAM:** The appropriation provides \$300,000 less General Fund for adult pre-trial diversion program grants to district attorneys. This is a budget balancing action.

**EVICTON LEGAL DEFENSE FUND:** The appropriation reduces grants from the Eviction Legal Defense Fund by \$150,000. The total reduction is \$300,000 because the General Fund appropriation into the Eviction Legal Defense Fund is also reduced by \$150,000. This is a budget balancing action.

**COURT LIAISON PROGRAM:** The appropriation reduces the Court Liaison Program by \$263,000 General Fund. This is a budget balancing action.

**TECHNICAL ADJUSTMENTS:** The appropriation makes a number of technical adjustments that result in a reduction of \$236,529 total funds and 9.0 FTE, including a decrease of \$46,631 General Fund,

**REDUCE AND REFINANCE COURTHOUSE SECURITY GRANTS:** The appropriation reduces courthouse grants by \$229,465 total funds, consisting of a reduction of \$379,465 General Fund that is partially offset by an increase of \$150,000 cash funds. This is a budget balancing action.

**INDIRECT COST ASSESSMENT:** The appropriation includes adjustments based on the Department's indirect cost assessment plan that reduce total funds by \$224,800.

**PROBATION ADJUSTMENTS:** The appropriation makes various adjustments to probation programs that reduce General Fund appropriations by \$1.6 million, partially replacing them with \$1,400,000 cash funds. This is a budget balancing action.

**MOVE AND ADJUST APPROPRIATION FOR SB 19-108 (JUVENILE JUSTICE REFORM):** The appropriation corrects an error in the appropriation clause for S.B. 19-108, reducing appropriations by \$57,260 General Fund.

**NON-PRIORITIZED REQUESTS:** The appropriation includes a \$14,083 General Fund reduction for vehicle lease payments.

**IEC ADJUSTMENT:** Based on prior reversions, reduces appropriations to the Independent Ethics Commission by \$10,000 General Fund. This is a budget balancing action.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see the *Appendix A, Recent Legislation*.

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# DEPARTMENT OF LABOR AND EMPLOYMENT

The Department consists of seven divisions:

- 1 The Executive Director's Office is responsible for providing common services to all divisions, including human resources and accounting services.
- 2 The Division of Unemployment Insurance is responsible for the administration and monitoring of Colorado's unemployment insurance programs, including audits and investigations to ensure proper payment of premiums and benefits.
- 3 The Division of Employment and Training is responsible for the administration of the workforce development programs, state-run workforce centers, and research and analysis on Colorado's employment trends.
- 4 The Division of Labor Standards and Statistics is responsible for ensuring employer compliance with State and federal employment laws and provides annual and monthly information on general labor market trends including unemployment rates, industry trends, and employee compensation by region and industry.
- 5 The Division of Oil and Public Safety is responsible for the inspection of boilers, conveyances, amusement park and carnival rides, distribution centers of petroleum products, storage sites for explosive materials, and monitoring the clean-up of leaking underground storage tanks.
- 6 The Division of Workers' Compensation is responsible for enforcing workers' compensation laws and the administration of the Major Medical Insurance and Subsequent Injury Funds.
- 7 The Division of Vocational Rehabilitation and Independent Living Services provides vocational rehabilitation services to individuals with disabilities so they can obtain employment. It also provides financial and technical support to non-profit independent living centers that help individuals with disabilities live and work independently in the community of their choice.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	\$21,380,958	\$19,475,174	\$25,519,883	\$18,494,327
Cash Funds	72,525,276	80,841,770	82,643,259	81,509,312
Reappropriated Funds	9,515,450	7,521,018	10,092,733	6,388,200
Federal Funds	145,439,550	151,711,122	153,713,234	159,309,764
<b>TOTAL FUNDS</b>	<b>\$248,861,234</b>	<b>\$259,549,084</b>	<b>\$271,969,109</b>	<b>\$265,701,603</b>
Full Time Equiv. Staff	1,279.8	1,280.6	1,292.8	1,290.7

## GENERAL FACTORS DRIVING THE BUDGET

Funding for this department consists of 7.0 percent General Fund, 30.7 percent cash funds, 2.4 percent reappropriated funds, and 60.0 percent federal funds. Some of the major factors driving the Department's budget are discussed below.

### UNEMPLOYMENT INSURANCE PROGRAMS

The Unemployment Insurance Programs (UI Programs) provide temporary compensation to individuals who are laid off through no fault of their own. The appropriation for UI Programs in the Long Bill reflects the cost of administering the UI Programs. Pursuant to Section 8-77-104 (1), C.R.S., the funds used to pay benefits are not subject to appropriation by the General Assembly and do not appear in the Long Bill. Unemployment Insurance claims are paid from the Unemployment Insurance Trust Fund (UITF), which is derived from premiums paid by Colorado employers but resides in the federal treasury. The federal Unemployment Insurance Program maintains the UITF in conjunction with the State.

The appropriation for administering the UI Programs accounts for 20.5 percent of the Department's FY 2020-21 appropriation. About two-thirds of this is federal funds, while most of the balance is cash funds derived from a portion of employers' unemployment insurance premiums.

Economic cycles drive the demand for this program. In a healthy economy, the number of claims is lower, resulting in fewer benefits being paid. This both reduces the demand for state administrative activities and builds up the balance of the UITF. During challenging economic times, the number of claims and benefits paid increases, increasing administrative costs and reducing the balance of the UITF.

Due to the COVID-19 disaster emergency, unemployment spiked in the spring of 2020, rapidly increasing unemployment claims and spending down funds in the UITF. A total of \$1,459,307,721 was paid out in benefits from the UITF during state fiscal year FY 2019-20, and, as of June 30, 2020, the balance in the UITF was \$412,237,543. This compares with UITF benefit payments under \$380.0 million in FY 2018-19 and a fund balance of \$1.1 billion on June 30, 2019. Benefits payments in FY 2020-21 are also anticipated to be exceptionally high, and the UITF is expected to fall below a zero fund balance, becoming insolvent, during the summer of 2020, at which point the State will begin to rely on federal loans to make UI benefit payments.

The UITF is likely to remain insolvent and reliant on federal or private loans to make benefit payments for at least the next five years. However, changes in S.B. 20-207 (Unemployment Insurance) will help restore the UITF to solvency. This bill suspended the solvency surcharge (an additional employer payment) for CY 2021 and CY 2022 but substantially increases the taxable wage base used to calculate employers' unemployment insurance premiums beginning in CY 2022. Between CY 2021 and CY 2026, the taxable wage base will increase from \$13,600 to \$30,600. The increase is expected to restore the UITF to solvency by CY 2026 assuming a moderately strong economic recovery.

Although the state budget does not show unemployment insurance benefits, it shows related administrative expenses to the extent these are subject to appropriation or known at the time the budget is developed. Additional administrative costs related to the disaster emergency have thus far been covered by federal funds, which are not subject to appropriation. The FY 2020-21 Long Bill includes an increase of \$10.1 million federal funds, reflecting a rough estimate of additional federal receipts that will be used to administer unemployment insurance programs in FY 2020-21.

## WORKFORCE DEVELOPMENT PROGRAMS

These programs provide employment services for businesses and job training and placement services for job seekers through a network of state- and county-run one-stop workforce centers. Although most activities are supported with federal funds not subject to appropriation by the General Assembly, a portion is covered by state-appropriated cash funds. In addition, between FY 2013-14 and FY 2019-20, the General Assembly created various targeted workforce development programs in this division that receive state General Fund appropriations. Many, although not all, of these programs are eliminated in FY 2020-21 due to the sharp decline in available state revenues. General Fund appropriations for employment and training programs fell from \$5.8 million in FY 2019-20 to \$1.2 million in FY 2020-21. While funding for specialized training programs declined, the General Assembly provided a \$2.0 million cash funds increase in FY 2020-21 for distribution to workforce centers to help address workforce placement and training needs resulting from the COVID-19 disaster emergency and related increase in unemployment. Employment and training programs account for 22.3 percent of the total Department appropriations and 6.4 percent of its General Fund appropriations in FY 2020-21.

## LABOR STANDARDS PROGRAMS

Labor Standards is responsible for regulating employers' compliance with state labor laws. Appropriations for this division have increased in recent years, including in FY 2020-21, as a result of new or enhanced programs for worker protections and benefits. In FY 2020-21, this includes appropriations for S.B. 20-205 (Sick Leave for Employees),



H.B. 20-1153 (Colorado Partnership for Quality Jobs and Services), and H.B. 20-1415 (Whistleblower Protection Public Health Emergencies), which together result in an increase of \$802,317 total funds for the division.

## WORKERS' COMPENSATION

Colorado employers are required to carry workers' compensation insurance to pay for medical expenses incurred during the treatment of work-related injuries and for partial wage replacement. The Division of Workers' Compensation provides services to support this mandate including customer service, claims resolution, employer and employee education, and cost containment programs. The budget for the Division of Worker's Compensation is driven by the number of workers injured in a given year and the number of hearings requested by an employer, insurance company, or injured worker to determine what benefits should be provided. The Workers' Compensation program offers claims intervention, mediation, pre-hearing conferences, settlement conferences, and arbitration to assist with dispute resolution. These administrative activities are supported by cash fund surcharges on workers' compensation premiums that are subject to appropriation by the General Assembly.

The Division also administers the Major Medical and Subsequent Injury programs, which provide benefits to individuals injured at work. The Major Medical program is available to industrial workers who sustained catastrophic injuries between 1971 and 1981. The Subsequent Injury program is designed to compensate employers for hiring an individual who has an existing partial disability. The injury must have been sustained before 1993 for traumatic injuries and before 1994 for occupational diseases. Funds for both programs are continuously appropriated pursuant Sections 8-46-202 (1)(c) and 8-46-101 (4)(b), C.R.S., respectively, and expenditures are dependent on claims processed during the fiscal year. Funding for this division for FY 2020-21 is generally stable, as it is thus far uncertain how the disaster emergency will change the volume of workers' compensation claims.

## DIVISION OF VOCATIONAL REHABILITATION AND INDEPENDENT LIVING SERVICES

On July 1, 2016 the Department of Labor and Employment began administering services previously provided by the Department of Human Services in the newly created Division of Vocational Rehabilitation and Independent Living Services. This division, created in FY 2016-17, consists of two subdivisions: (A) Vocational Rehabilitation Programs and (B) Office of Independent Living Services.

(A) Vocational Rehabilitation Programs assist individuals whose disabilities result in barriers to employment or independent living with attaining and maintaining employment and/or independent living. At any of the 43 field and satellite offices located throughout the state, rehabilitation counselors work with clients to assess their needs and identify appropriate vocational rehabilitation services. Most vocational rehabilitation program services are subject to a prescribed match rate of 78.7 percent federal funds to 21.3 percent non-federal funds.

(B) The Office of Independent Living Services distributes funding to the nine Independent Living Centers in Colorado that provide services to individuals with significant disabilities. The goal of independent living services is to provide individuals with the resources and skills to live independently in the community. Funding for independent living services is primarily state General Fund.

This division accounts for 23.0 percent of the Department's total appropriations and 63.4 percent of its General Fund appropriations in FY 2020-21. The budget for this division has been affected in the past by the demand for vocational rehabilitation services. However, in the last few years, the budget has been driven more by discretionary decisions of the General Assembly to add or reduce General Fund support, the willingness of school districts and other entities to provide the match required for federal vocational rehabilitation funds, and the size of the annual federal grant available. For FY 2020-21, the General Fund appropriation for this division is affected by reductions to the General Fund appropriations for independent living centers.

# APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

DEPARTMENT OF LABOR AND EMPLOYMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$270,584,244	\$24,423,131	\$82,605,146	\$9,842,733	\$153,713,234	1,289.0
SB 19-171	25,507	25,507	0	0	0	0.4
SB 19-188	165,487	165,487	0	0	0	0.5
HB 19-1025	38,113	0	38,113	0	0	0.6
HB 19-1107	1,000,000	750,000	0	250,000	0	0.5
HB 19-1314	155,758	155,758	0	0	0	1.8
<b>TOTAL</b>	<b>\$271,969,109</b>	<b>\$25,519,883</b>	<b>\$82,643,259</b>	<b>\$10,092,733</b>	<b>\$153,713,234</b>	<b>1,292.8</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$271,969,109	\$25,519,883	\$82,643,259	\$10,092,733	\$153,713,234	1,292.8
Informational funds adjustment	7,532,040	0	0	0	7,532,040	(10.0)
Increase for workforce centers	2,000,000	0	2,000,000	0	0	0.0
Veterans Service to Career Program	300,000	0	300,000	0	0	0.0
Employment Support and Job Retention Services spending authority	155,000	0	155,000	0	0	0.0
Technical adjustments	0	0	0	0	0	0.0
Refinance UI and Labor Standards positions	0	(650,317)	650,317	0	0	0.0
Centrally appropriated line items	(2,957,417)	(1,054,762)	(1,663,900)	54,101	(292,856)	0.0
Annualize prior year budget action	(2,811,729)	(2,946)	(2,800,690)	(5,453)	(2,640)	0.3
Long Bill true-up	(1,108,016)	0	(200,000)	(191,617)	(716,399)	0.0
Annualize prior year legislation	(962,958)	(1,429,313)	499,772	(250,000)	216,583	(0.0)
Independent Living Center reduction	(600,000)	(600,000)	0	0	0	0.0
Community provider rate	(68,008)	(68,008)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$273,448,021</b>	<b>\$21,714,537</b>	<b>\$81,583,758</b>	<b>\$9,699,764</b>	<b>\$160,449,962</b>	<b>1,283.1</b>
SB 20-205	206,566	206,566	0	0	0	2.7
HB 20-1153	412,584	0	412,584	0	0	4.4
HB 20-1379	(2,035,721)	(126,776)	(757,183)	(11,564)	(1,140,198)	0.0
HB 20-1395	(6,600,000)	(3,300,000)	0	(3,300,000)	0	(2.0)
HB 20-1415	270,153	0	270,153	0	0	2.5
<b>TOTAL</b>	<b>\$265,701,603</b>	<b>\$18,494,327</b>	<b>\$81,509,312</b>	<b>\$6,388,200</b>	<b>\$159,309,764</b>	<b>1,290.7</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$6,267,506)</b>	<b>(\$7,025,556)</b>	<b>(\$1,133,947)</b>	<b>(\$3,704,533)</b>	<b>\$5,596,530</b>	<b>(2.1)</b>
Percentage Change	(2.3%)	(27.5%)	(1.4%)	(36.7%)	3.6%	(0.2%)

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**SUMMARY OF FY 2020-21 BUDGET BALANCING APPROPRIATIONS:** The FY 2020-21 appropriation adjustments in this table include a net reduction of \$944,226 total funds, comprised of a reduction of \$1,594,543 General Fund, partially offset by an increase of \$650,317 cash funds, for budget balancing purposes. These actions are described individually below. This total excludes budget reductions in additional legislation and in central appropriations, with the exception of the Health, Life, and Dental adjustment that was made as an alternative to a personal services base reduction.

**INFORMATIONAL FUNDS ADJUSTMENT:** The appropriation includes adjustments to federal funds and FTE shown for informational purposes. Among other adjustments, the appropriation reflects increases for administration of the state's unemployment insurance programs provided through the federal Families First Coronavirus Response Act.

**INCREASE FOR WORKFORCE CENTERS:** The appropriation includes \$2,000,000 cash funds from the Employment Support Fund in FY 2020-21 to provide additional resources for county and state-operated workforce centers to help with reemployment assistance. These funds will supplement the workforce centers' federal funding for labor exchange services.

**VETERANS SERVICE TO CAREER PROGRAM:** The appropriation includes a \$300,000 cash funds from the Marijuana Tax Cash Fund for the Veterans Service to Career Program. The program provides employment services for military veterans through state workforce centers and nonprofit “one stop” centers for veterans. The program received a two-year appropriation through H.B. 18-1343.

**EMPLOYMENT SUPPORT AND JOB RETENTION SERVICES SPENDING AUTHORITY:** The appropriation adds \$155,000 cash funds spending authority from the Employment Support and Job Retention Services Cash Fund to allow increased spending from the fund in FY 2020-21. Pursuant to HB 19-1107, \$750,000 General Fund was deposited into this fund in FY 2019-20 to be spent over a three year period (FY 2019-20 through FY 2021-22) for a pilot program to provide additional employment supports for individuals seeking employment. The FY 2020-21 increase will compensate for reduced spending in FY 2019-20 related to the disaster emergency.

**TECHNICAL ADJUSTMENTS:** The appropriation includes various technical adjustments with a net \$0 impact on appropriations. This includes a minor reorganization of line items in the Division of Employment and Training, consolidation of several legal services line items, and changes to “(M)” and “(I)” notations (identifying appropriations subject to matching requirements and those that are informational only).

**REFINANCE UI AND LABOR STANDARDS POSITIONS:** The appropriation substitutes cash funds from the Employment Support Fund for General Fund appropriations in the Division of Unemployment Insurance and the Division of Labor Standards and Statistics. This is a budget balancing action.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items. Appropriations for centrally appropriated line items include budget balancing actions.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Health, life, and dental	\$775,017	\$69,098	\$80,501	(\$1,166)	\$626,584	0.0
Leased space	187,166	12,611	75,451	0	99,104	0.0
CORE accounting system	121,447	0	38,992	0	82,455	0.0
Indirect cost assessment	51,479	0	59,045	0	(7,566)	0.0
Capitol Complex leased space	2,921	0	2,921	0	0	0.0
DPA Annual fleet vehicle	564	56	241	0	267	0.0
Shift differential	233	0	0	0	233	0.0
Statewide indirect cost collection	0	(367,235)	0	367,235	0	0.0
Payments to OIT	(3,347,681)	(518,048)	(1,579,135)	(305,347)	(945,151)	0
HLD decrease in lieu of personal services base reduction	(276,218)	(276,218)	0	0	0	0.0
PERA Direct Distribution	(150,605)	(64)	(85,071)	(2,004)	(63,466)	0.0
Workers' compensation	(107,424)	(3,747)	(29,775)	0	(73,902)	0.0
ALJ adjustment	(98,073)	0	(98,073)	0	0	0.0
Legal services	(87,028)	(4,596)	(13,665)	0	(68,767)	0.0
Payment to risk management / property funds	(24,983)	(608)	(7,049)	0	(17,326)	0.0
AED	(1,836)	16,726	(53,144)	(2,272)	36,854	0.0
SAED	(1,836)	16,726	(53,144)	(2,272)	36,854	0.0
Short-term disability	(560)	537	(1,995)	(73)	971	0.0
<b>TOTAL</b>	<b>(\$2,957,417)</b>	<b>(\$1,054,762)</b>	<b>(\$1,663,900)</b>	<b>\$54,101</b>	<b>(\$292,856)</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes the following adjustments for the out-year impacts of prior year budget actions. Much of the reduction is due to the anticipated completion of a capital project to modernize the state's unemployment insurance information technology system. Operating staff were added on a temporary basis to help support this large capital project.

ANNUALIZE PRIOR YEAR BUDGET ACTION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 DPA postage increase	\$79,000	\$0	\$79,000	\$0	\$0	0.0
FY 2019-20 Employment First request	11,766	2,506	0	0	9,260	0.3
FY 2014-15 and FY 2015-16 UI technology initiatives	(2,313,988)	0	(2,313,988)	0	0	0.0
FY 2019-20 Replacement of legacy field audit system for UI	(410,000)	0	(410,000)	0	0	0.0
FY 2018-19 Facilitate Reemployment with Job Preparedness Modules	(150,000)	0	(150,000)	0	0	0.0
Prior year salary survey	(28,507)	(5,452)	(5,702)	(5,453)	(11,900)	0.0
<b>TOTAL</b>	<b>(\$2,811,729)</b>	<b>(\$2,946)</b>	<b>(\$2,800,690)</b>	<b>(\$5,453)</b>	<b>(\$2,640)</b>	<b>0.3</b>

**LONG BILL TRUE-UP:** The appropriation includes adjustments to align amounts in the Long Bill with recent year program expenditures, as shown in the table below.

LONG BILL TRUE-UP						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
School to Work Alliance Program	(\$908,016)	\$0	\$0	(\$191,617)	(\$716,399)	0.0
Business Enterprise Cash Fund Spending Authority	(200,000)	0	(200,000)	0	0	0.0
<b>TOTAL</b>	<b>(\$1,108,016)</b>	<b>\$0</b>	<b>(\$200,000)</b>	<b>(\$191,617)</b>	<b>(\$716,399)</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes the following adjustments for the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 Eliminate PERA Unfunded Liability	\$441,498	\$41,380	\$183,535	\$0	\$216,583	0.0
HB 19-1210 Local Government Minimum Wage	75,689	0	75,689	0	0	1.0
SB 19-085 Equal Pay for Equal Work	48,245	48,245	0	0	0	0.6
HB 19-1314 Just Transitions	2,594	2,594	0	0	0	0.2
HB 19-1107 Employment Support Job Retention Services	(750,000)	(750,000)	250,000	(250,000)	0	0.0
HB 15-1230 Innovative Industry Workforce Development	(605,407)	(605,407)	0	0	0	(1.3)
SB 19-188 Family and Medical Leave Insurance	(165,487)	(165,487)	0	0	0	(0.5)
HB 19-1025 Limits of Job Criminal Inquiry	(9,452)	0	(9,452)	0	0	(0.1)
SB 19-171 Apprenticeships and Vocational Technical Training	(638)	(638)	0	0	0	0.1
<b>TOTAL</b>	<b>(\$962,958)</b>	<b>(\$1,429,313)</b>	<b>\$499,772</b>	<b>(\$250,000)</b>	<b>\$216,583</b>	<b>(0.0)</b>

**INDEPENDENT LIVING CENTER REDUCTION:** The appropriation reduces by \$600,000 General Fund the appropriation for the state's nine independent living centers, which provide advocacy, support, and referral services for people with disabilities. The appropriation was originally based on funding required to support ten centers, but one center has closed. This is a budget balancing action.

**COMMUNITY PROVIDER RATE:** The appropriation includes a decrease of \$\$68,008 General Fund for the one percent common policy across-the-board decrease for most community providers. This is a budget balancing action.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# DEPARTMENT OF LAW

The Attorney General is one of five independently elected constitutional officers of the State, whose powers and duties are prescribed by the General Assembly. As the chief executive officer of the Department of Law, the Attorney General represents and defends the legal interests of the people of the State of Colorado, and serves as chief legal counsel and advisor to state government, its statewide elected officials, and its many state agencies, boards, and commissions.

The Attorney General also has primary authority for: enforcement of consumer protection and antitrust laws; prosecution of criminal appeals and some complex white-collar crimes; the statewide grand jury; training and certification of peace officers; and certain natural resource and environmental matters. The Attorney General and his staff also work concurrently with Colorado's 22 locally elected district attorneys and other local, state, and federal law enforcement authorities to carry out the criminal justice responsibilities and activities of the office.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund <sup>1</sup>	\$16,214,183	\$16,593,918	\$18,867,152	\$14,284,468
Cash Funds	17,314,175	17,747,080	17,688,477	19,459,500
Reappropriated Funds	45,720,252	47,855,062	53,606,154	55,459,431
Federal Funds	1,828,471	2,002,322	2,324,715	2,370,235
<b>TOTAL FUNDS</b>	<b>\$81,077,081</b>	<b>\$84,198,382</b>	<b>\$92,486,498</b>	<b>\$91,573,634</b>
Full Time Equiv. Staff	473.4	483.5	513.5	518.0

<sup>1</sup> Includes appropriations from the CARE subfund of the General Fund for FY 2019-20

## GENERAL FACTORS DRIVING THE BUDGET

Funding for this department consists of 15.6 percent General Fund, 21.3 percent cash funds, 60.6 percent reappropriated funds, and 2.6 percent federal fund. Some of the major factors driving the Department's budget are discussed below.

### LEGAL SERVICES TO STATE AGENCIES

Prior to 1973, most state agencies were represented by "assistant solicitors" who were housed within and paid by the agencies they represented. The system became problematic as there were serious differences in legal policy between agencies, resulting in an inconsistent legal policy for the State in the courts. In 1973, the General Assembly passed legislation that moved all the assistant solicitors into the Department of Law and prohibited any state agency from employing a person to perform legal services. As a trade-off, the Department of Law became subject to the "Oregon Plan," whereby the General Assembly appropriates money for legal services to the various state agencies, which in turn purchase services from the Department of Law at hourly rates (one rate for attorneys and one rate for legal assistants). The General Assembly provides spending authority to the Department of Law to spend money received from other state agencies.

Prior to FY 2017-18, the Department billed client agencies each month for the hours of legal services actually provided to the client during the previous month. For FY 2017-18, the General Assembly approved a departmental request to change the appropriation and billing system. Similar to other common policies, each client agency's annual appropriation is now based on the client's prior years' usage of legal services. The Department is now billing each agency in twelve equal monthly installments rather than billing monthly based on actual usage.

For FY 2020-21, the General Assembly has authorized the Department of Law to spend up to \$48.6 million providing legal services to state agencies (including associated central appropriations for items such as employee benefits, leased space, and information technology costs). This amount represents 53.1 percent of the Department's total appropriation. As shown in the table below, services provided to the eight highest-use agencies account for 80.6 percent of those provided. The table also details the total number of hours of legal services provided and the blended hourly rate charged by the Department (a weighted average of the rate charged by attorneys and paralegals).

LEGAL SERVICES TO STATE AGENCIES: FY 2015-16 TO FY 2020-21						
STATE DEPARTMENT	FY 16-17 ACTUAL	FY 17-18 ACTUAL	FY 18-19 ACTUAL	FY 19-20 ACTUAL	FY 20-21 APPROP./ ESTIM.	% OF TOTAL
Regulatory Agencies	9,053,456	10,112,352	10,021,244	\$10,047,690	\$10,678,899	22.0%
Revenue	4,096,760	4,218,602	4,370,044	4,651,065	5,871,769	12.1%
Natural Resources	4,761,792	5,433,175	5,508,277	5,450,458	5,715,267	11.8%
Personnel	4,565,137	7,288,282	4,525,729	4,834,523	5,188,831	10.7%
Human Services	2,173,268	2,263,270	2,336,860	3,422,713	4,134,873	8.5%
Public Health and Environment	2,966,184	3,266,490	3,266,490	3,350,438	3,167,551	6.5%
Corrections	1,768,814	1,869,702	2,030,978	2,886,515	2,643,765	5.4%
Transportation	1,335,102	1,576,768	1,670,132	1,573,629	1,783,282	3.7%
Other agencies <sup>1</sup>	5,935,443	6,718,670	7,366,953	8,686,727	9,418,457	19.4%
<b>Total Expenditures/ Appropriation</b>	<b>\$36,655,956</b>	<b>\$42,747,311</b>	<b>\$41,096,707</b>	<b>\$44,903,758</b>	<b>\$48,602,694</b>	<b>100.0%</b>
% change of total from prior year	2.9%	16.6%	(3.9%)	9.3%	8.2%	
% of total Department of Law appropriations	46.7%	52.7%	49.4%	48.6%	49.5%	
% of total state operating appropriations	0.1%	0.1%	0.1%	0.1%	0.1%	
<b>Blended Legal Rate</b>	<b>\$95.05</b>	<b>\$106.56</b>	<b>\$103.63</b>	<b>\$106.60</b>	<b>\$102.78</b>	
% change from prior year	0.0%	12.1%	(2.7%)	2.9%	(3.6%)	
<b>Total Hours</b>	<b>385,649</b>	<b>401,157</b>	<b>405,713</b>	<b>418,783</b>	<b>472,881</b>	
% change from prior year	2.8%	4.0%	1.1%	3.2%	12.9%	

<sup>1</sup> Actual expenditures are provided by the Department of Law. The appropriation columns include the Department's estimates of legal services to be provided to institutions of higher education and to the Public Employees' Retirement Association (PERA).

Fluctuations in legal services expenditures are due to: (1) changes in the Department's hourly rates; and (2) changes in the number of hours of legal services provided to state agencies by attorneys and legal assistants. The hourly rates fluctuate based on the costs of employee salaries and benefits as well as operating expenses.

## CRIMINAL JUSTICE AND APPELLATE

The largest allocation of General Fund in the Department is for the Criminal Justice and Appellate section, which accounts for 42.9 percent of General Fund appropriations to the Department for FY 2020-21. More than half of the General Fund in this section is devoted to the Appellate Unit, which represents the State in criminal appeals, and about one-third is devoted to the Special Prosecutions Unit, which investigates and prosecutes a variety of crimes. The following table provides expenditure and workload data for the Appellate Unit.

APPELLATE UNIT DATA: FY 2014-15 TO FY 2019-20						
	FY 14-15 ACTUAL	FY 15-16 ACTUAL	FY 16-17 ACTUAL	FY 17-18 ACTUAL	FY 18-19 ACTUAL	FY 19-20 ACTUAL
<b>Expenditures/Appropriations (excluding central appropriations)</b>	<b>\$3,692,658</b>	<b>\$3,498,574</b>	<b>\$3,854,792</b>	<b>\$3,664,404</b>	<b>\$4,021,320</b>	<b>\$4,568,908</b>
FTE	37.7	36.2	35.8	36.5	37.6	42.2
Opening briefs received	952	1,056	968	971	1,002	974
Answer briefs filed	1,017	911	931	943	1,034	1,002
Case backlog	264	428	466	494	463	414

## DISTRICT ATTORNEYS' SALARIES

The State Constitution requires each judicial district to elect a district attorney. Similar to the Attorney General, district attorneys (DAs) are part of the executive branch of government and their powers and duties are prescribed by the General Assembly. Each DA is responsible for representing the legal interests of the people of the State of

Colorado and prosecuting criminal cases for crimes committed within his or her judicial district on behalf of the people. Upon request, DAs provide legal advice and legal representation to county officers and employees, and render legal advice to peace officers pertaining to affidavits and warrants for arrests, searches, seizures, and court orders for the production of records.

While DAs' office budgets are primarily set and provided by their respective boards of county commissioners within each judicial district, the State provides direct funding for DAs, via state agencies, for certain purposes. The Department of Law's budget includes an annual appropriation for DA salaries. Pursuant to Section 20-1-306, C.R.S., the State contributes 80.0 percent of the funding for a minimum DA salary that is established in statute (including the associated costs of employer Public Employees' Retirement Association contributions). In 2007 (H.B. 07-1170), the General Assembly raised the statutory minimum salary for DAs over a four-year period. A judicial district may choose to pay a salary that exceeds the statutory minimum using local funds.

The appropriation to the Department of Law for the State's contribution for DA salaries currently accounts for 19.6 percent of total General Fund appropriations to the Department. The following table details recent expenditures/appropriations for this purpose.

STATE EXPENDITURES FOR DISTRICT ATTORNEY SALARIES: FY 2007-08 TO FY 2020-21				
FISCAL YEAR	EXPENDITURES/ APPROPRIATIONS	ANNUAL INCREASE	CUMULATIVE INCREASE	
2007-08	\$1,315,985	n/a	n/a	
2008-09	1,654,605	\$338,620	\$338,620	
2009-10	2,096,027	441,422	780,042	
2010-11	2,263,229	167,202	947,244	
2011-12	2,479,847	216,618	1,163,862	
2012-13	2,656,471	176,624	1,340,486	
2013-14	2,676,960	20,489	1,360,975	
2014-15	2,697,640	20,680	1,381,655	
2015-16	2,718,249	20,609	1,402,264	
2016-17	2,738,841	20,592	1,422,856	
2017-18	2,749,138	10,297	1,433,153	
2018-19	2,749,138	0	1,433,153	
2019-20	2,754,858	5,720	1,438,873	
2020-21 appropriation	2,799,386	44,510	1,483,383	

## APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

DEPARTMENT OF LAW						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$90,145,714	\$18,497,361	\$17,626,348	\$51,667,911	\$2,354,094	500.4
SB 19-002	115,273	115,273	0	0	0	1.4
SB 19-005	134,719	0	0	134,719	0	0.7
SB 19-030	55,139	55,139	0	0	0	0.6
SB 19-166	40,056	0	40,056	0	0	0.6
SB 19-181	186,534	0	0	186,534	0	1.0
SB 19-218	535,456	0	0	535,456	0	2.9
SB 19-223	189,901	50,000	0	139,901	0	0.8
SB 19-224	103,630	0	0	103,630	0	0.6
SB 19-236	186,534	0	0	186,534	0	1.0
HB 19-1045	50,000	0	0	50,000	0	0.3
HB 19-1090	242,494	0	0	242,494	0	1.3
HB 19-1230	72,023	0	0	72,023	0	0.3
HB 19-1234	35,752	0	0	35,752	0	0.2
HB 19-1242	15,545	0	0	15,545	0	0.0
HB 19-1261	93,267	0	0	93,267	0	0.5

DEPARTMENT OF LAW						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1309	22,073	0	22,073	0	0	0.1
HB 19-1327	142,388	0	0	142,388	0	0.8
HB 20-1250	0	29,379	0	0	(29,379)	0.0
HB 20-1411	120,000	120,000	0	0	0	0.0
<b>TOTAL</b>	<b>\$92,486,498</b>	<b>\$18,867,152</b>	<b>\$17,688,477</b>	<b>\$53,606,154</b>	<b>\$2,324,715</b>	<b>513.5</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$92,486,498	\$18,867,152	\$17,688,477	\$53,606,154	\$2,324,715	513.5
Annualize prior year budget actions	2,709,079	706,821	224,894	1,726,077	51,287	0.7
Annualize prior year legislation	778,715	(238,841)	575,967	435,873	5,716	3.9
Indirect cost assessment	364,814	(167,651)	590,092	(89,916)	32,289	0.0
Non-prioritized request items	191,881	0	0	191,881	0	1.0
POST job task analysis	150,000	0	150,000	0	0	0.0
Data security and privacy	135,072	0	135,072	0	0	1.0
Consumer Protection Unit	0	(1,909,120)	1,909,120	0	0	0.0
Centrally appropriated line items	(2,768,990)	(1,205,143)	(187,433)	(1,330,044)	(46,370)	0.0
Eliminate MTCF appropriation to POST	(1,036,766)	0	(1,036,766)	0	0	0.0
Tobacco litigation	(650,000)	0	(650,000)	0	0	0.0
Special Prosecutions Unit	(563,750)	(563,750)	0	0	0	(4.1)
Federal and Interstate Water Unit	(212,698)	(212,698)	0	0	0	(1.9)
Appellate Unit	(173,796)	(173,796)	0	0	0	(2.5)
Eliminate CORA/OML appropriation	(101,717)	(101,717)	0	0	0	(1.0)
Eliminate Safe2Tell marketing position	(56,175)	(56,175)	0	0	0	(0.9)
Technical adjustments	(7,265)	(184,510)	(1,715)	176,362	2,598	0.0
<b>HB 20-1360</b>	<b>\$91,244,902</b>	<b>\$14,760,572</b>	<b>\$19,397,708</b>	<b>\$54,716,387</b>	<b>\$2,370,235</b>	<b>509.7</b>
SB 20-028	74,620	0	0	74,620	0	0.4
SB 20-162	38,376	0	0	38,376	0	0.2
SB 20-200	63,960	0	0	63,960	0	0.3
SB 20-204	10,660	0	0	10,660	0	0.0
SB 20-217	95,940	0	0	95,940	0	0.5
HB 20-1001	98,605	0	0	98,605	0	0.5
HB 20-1153	1,151,750	0	197,445	954,305	0	6.1
HB 20-1369	(150,000)	(150,000)	0	0	0	0.0
HB 20-1379	(1,119,139)	(326,104)	(135,653)	(657,382)	0	0.0
HB 20-1415	63,960	0	0	63,960	0	0.3
<b>TOTAL</b>	<b>\$91,573,634</b>	<b>\$14,284,468</b>	<b>\$19,459,500</b>	<b>\$55,459,431</b>	<b>\$2,370,235</b>	<b>518.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$912,864)</b>	<b>(\$4,582,684)</b>	<b>\$1,771,023</b>	<b>\$1,853,277</b>	<b>\$45,520</b>	<b>4.5</b>
Percentage Change	(1.0%)	(24.3%)	10.0%	3.5%	2.0%	0.9%

<sup>1</sup> Includes appropriations from the CARE subfund of the General Fund for FY 2019-20

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1250 modifies the FY 2019-20 appropriation to make a net neutral adjustment of \$29, 379 to the Department's PERA Direct Distribution allocation.

House Bill 20-1411 modifies the FY 2019-20 appropriation to add \$120,000 from the CARE subfund in the General Fund to the Department of Law for the Safe2Tell program for behavioral health services related to the COVID-19 public health emergency.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**SUMMARY OF FY 2020-21 BUDGET BALANCING APPROPRIATIONS:** The FY 2020-21 appropriation adjustments in this table include a reduction of \$3,351,516 total funds, including a reduction of \$3,573,870 General Fund, for budget balancing purposes. These actions are described individually below.



SUMMARY OF FY 2020-21 BUDGET BALANCING APPROPRIATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Consumer Protection Unit	\$0	(\$1,909,120)	\$1,909,120	\$0	\$0	0.0
HLD decrease/personal services base reduction	(714,506)	(714,506)	0	0	0	0.0
Eliminate MTCF appropriation to POST	(1,036,766)	0	(1,036,766)	0	0	0.0
Tobacco litigation	(650,000)	0	(650,000)	0	0	0.0
Special Prosecutions Unit	(563,750)	(563,750)	0	0	0	(4.1)
Federal and Interstate Water Unit	(212,698)	(212,698)	0	0	0	(1.9)
Appellate Unit	(173,796)	(173,796)	0	0	0	(2.5)
<b>TOTAL</b>	<b>(\$3,351,516)</b>	<b>(\$3,573,870)</b>	<b>\$222,354</b>	<b>\$0</b>	<b>\$0</b>	<b>(8.5)</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$1,971,900	\$501,539	\$193,710	\$1,233,678	\$42,973	0.0
FY 19-20 Merit pay	689,740	157,843	31,184	492,399	8,314	0.0
FY 19-20 Appellate backlog	24,139	24,139	0	0	0	0.4
FY 19-20 Additional opioid staff	13,400	13,400	0	0	0	0.2
FY 19-20 Asst. Deputy AG for Water	9,900	9,900	0	0	0	0.1
<b>TOTAL</b>	<b>\$2,709,079</b>	<b>\$706,821</b>	<b>\$224,894</b>	<b>\$1,726,077</b>	<b>\$51,287</b>	<b>0.7</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 19-218 Sunset medical marijuana	\$382,499	\$0	\$0	\$382,499	\$0	1.8
SB18-200 PERA	258,758	46,207	33,770	173,065	5,716	0.0
SB 19-002 Regulation of student loan servicers	232,055	(115,273)	347,328	0	0	1.6
HB 19-1309 Mobile home park oversight	199,572	0	199,572	0	0	1.1
HB 19-1090 Publicly licensed marijuana companies	64,251	0	0	64,251	0	0.3
HB 19-1242 Board of Pharmacy regulate technicians	62,179	0	0	62,179	0	0.4
SB 19-005 Import prescription drugs from Canada	10,363	0	0	10,363	0	0.1
SB 19-030 Remediating improper guilty pleas	225	225	0	0	0	0.0
HB 20-1411 COVID-19 funds for behavioral health	(120,000)	(120,000)	0	0	0	0.0
SB 19-223 Actions related to competency to proceed	(117,360)	(50,000)	0	(67,360)	0	(0.4)
SB 19-236 Sunset PUC	(93,267)	0	0	(93,267)	0	(0.5)
SB 19-224 Sunset regulated marijuana	(77,722)	0	0	(77,722)	0	(0.5)
HB 19-1230 Marijuana hospitality establishments	(18,135)	0	0	(18,135)	0	0.0
SB 19-166 POST board revoke certification	(4,703)	0	(4,703)	0	0	0.0
<b>TOTAL</b>	<b>\$778,715</b>	<b>(\$238,841)</b>	<b>\$575,967</b>	<b>\$435,873</b>	<b>\$5,716</b>	<b>3.9</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the Department's indirect cost assessment.

**NON-PRIORITIZED REQUEST ITEMS:** The appropriation includes \$191,881 reappropriated funds to increase the appropriation for legal services for the Department of Natural Resources.

**POST JOB TASK ANALYSIS:** The appropriation includes \$150,000 cash funds from the Peace Officer Standards and Training (P.O.S.T.) Board Cash Fund in FY 2020-21 to conduct a Job Task Analysis (JTA) for Colorado peace officers.

**DATA SECURITY AND PRIVACY:** The appropriation includes \$135,072 General Fund and 1.0 FTE in FY 2020-21 to enhance the Consumer Protection Section's investigation and enforcement efforts in the area of data security and privacy.

**CONSUMER PROTECTION UNIT:** The appropriation eliminates the General Fund appropriation to the Consumer Protection Unit. These funds can be replaced with custodial cash funds at the discretion of the Attorney General. This is a budget balancing action.

**CENTRALLY APPROPRIATED ITEMS:** The appropriation includes a reduction of \$2.8 million total funds, including \$1.2 million General Fund, for adjustments to centrally appropriated line items for the following: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; shift differential; workers' compensation; legal services; administrative law judges; payment to risk management and property funds; Capitol complex leased space; payments to the Governor's Office of Information Technology (OIT); and CORE operations. The appropriation includes a Health, Life, and Dental adjustment in lieu of a General Fund personal services base reduction.

**ELIMINATE MTCF APPROPRIATION TO POST:** The appropriation eliminates the Marijuana Tax Cash Fund (MTCF) appropriation to the Peace Officer Standards and Training Board for a total reduction of \$1.0 million. This is a budget balancing action.

**TOBACCO LITIGATION:** The appropriation includes a reduction to the appropriation for the Tobacco Litigation line item by \$650,000 cash funds, leaving a total appropriation of \$100,000 cash funds. This is a budget balancing action.

**SPECIAL PROSECUTIONS UNIT:** The appropriation includes a reduction of \$563,750 General Fund and 4.1 FTE, which eliminates a Criminal Investigator position. The Department plans to shift the other FTE to other vacancies within the Department. This is a budget balancing action.

**FEDERAL AND INTERSTATE WATER UNIT:** The appropriation includes a reduction of \$212,698 General Fund and 1.9 FTE in the Federal and Interstate Water Unit. This eliminates an Assistant Attorney General (AAG) FTE and moves a Senior AAG position to a vacant position in the Colorado River Unit. This is a budget balancing action.

**APPELLATE UNIT:** The appropriation includes a reduction of \$173,796 General Fund and 2.5 FTE (1.0 AAG and 1.5 Fellows). The AAG position is currently vacant. This is a budget balancing action.

**ELIMINATE CORA/OML APPROPRIATION:** The appropriation includes a reduction of \$101,717 General Fund and 1.0 FTE to eliminate funding for an attorney focused on the Colorado Open Records Act (CORA) and Open Meetings Law (OML). This is a budget balancing action.

**ELIMINATE SAFE2TELL MARKETING POSITION:** The appropriation includes a reduction of \$56,175 General Fund and 0.9 FTE to eliminate a marketing and social media position within the Safe2Tell team in the Office of Community Engagement. This is a budget balancing action.

**TECHNICAL ADJUSTMENTS:** The appropriation includes four technical changes.

TECHNICAL ADJUSTMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Attorney Registration and CLE	\$9,168	\$1,995	\$0	\$7,173	\$0	0.0
Indirect recoveries fund source adjustment	0	(176,166)	0	176,166	0	0.0
Technical adjustment for Medicaid match	0	19	0	0	(19)	0.0
IT asset maintenance	(16,433)	(10,358)	(1,715)	(6,977)	2,617	0.0
<b>TOTAL</b>	<b>(\$7,265)</b>	<b>(\$184,510)</b>	<b>(\$1,715)</b>	<b>\$176,362</b>	<b>\$2,598</b>	<b>0.0</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# LEGISLATIVE BRANCH

The Legislative Branch includes the elected members of the House of Representatives and the Senate, and the necessary staff to support these legislators in their duties and responsibilities. The staff include those assigned to the House and the Senate, and those employed by the following legislative service agencies:

- State Auditor;
- Joint Budget Committee;
- Legislative Council; and
- Committee on Legal Services.

The legislative service agency staff are full-time nonpartisan professionals. The House and the Senate employ both partisan and nonpartisan staff, and many of these staff serve only when the General Assembly is in session.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	\$48,280,517	\$50,287,893	\$55,197,745	\$53,636,489
Cash Funds	470,869	470,869	90,000	90,000
Reappropriated Funds	1,177,000	1,087,079	1,365,918	1,145,622
Federal Funds	0	0	0	0
<b>TOTAL FUNDS</b>	<b>\$49,928,386</b>	<b>\$51,845,841</b>	<b>\$56,653,663</b>	<b>\$54,872,111</b>
Full Time Equiv. Staff	287.7	290.0	306.9	306.5

## GENERAL FACTORS DRIVING THE BUDGET

Funding for this department consists of 97.7 percent General Fund, 0.2 percent cash funds, and 2.1 percent reappropriated funds. One of the major factors driving the Department's budget is discussed below.

### SPECIAL STUDIES OR FUNCTIONS

The annual appropriations for the majority of the functions and activities for the Legislature are contained in a separate legislative appropriation bill (e.g., H.B. 20-1345). This bill typically provides funding to support the staff and operating expenses for the 120-day regular legislative session, four legislative interim committees, and up to 20 days of a special legislative session. The annual Long Bill (e.g., H.B. 20-1360) also includes appropriations to the Legislative Department which provide funding for: (a) studies and analyses that are required by statute or the State Constitution; and (b) statewide common policies that relate to services provided by the Executive Branch agencies (e.g. workers' compensation). The costs for special studies or functions can vary based on the number of statewide ballot measures and the required frequency of the analyses.

#### APPROPRIATIONS FOR LEGISLATIVE COUNCIL STAFF FOR SPECIAL STUDIES AND FUNCTIONS FUND SOURCE: GENERAL FUND, UNLESS OTHERWISE NOTED

	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
Contracting for property tax "Valuation for Assessment" study	\$660,000	\$676,000	\$676,000	\$676,000
Authoring, publishing, and distributing ballot information booklet ("Blue Book")	1,544,170	1,300,000	1,400,000	1,600,000
Contracting for cost of living study for school finance (source: reappropriated funds transferred from the appropriation to the Department of Education for school district operations)	250,000	0	250,000	0

# APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

LEGISLATIVE DEPARTMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207 (Long Bill) <sup>1</sup>	\$4,859,877	\$4,609,877	\$0	\$250,000	\$0	0.0
SB 19-203 (Legislative Approp. Bill) <sup>2</sup>	51,333,908	50,127,990	90,000	1,115,918	0	302.3
SB 19-015 <sup>2</sup>	16,062	16,062	0	0	0	0.1
SB 19-108 <sup>2</sup>	6,315	6,315	0	0	0	0.0
SB 19-244 <sup>2</sup>	221,925	221,925	0	0	0	1.8
SB 19-248 <sup>2</sup>	44,552	44,552	0	0	0	0.5
SB 19-252 <sup>2</sup>	(37,422)	(37,422)	0	0	0	0.0
HB 19-1024 <sup>2</sup>	28,790	28,790	0	0	0	0.4
HB 19-1176 <sup>2</sup>	7,351	7,351	0	0	0	0.0
HB 19-1184 <sup>2</sup>	89,474	89,474	0	0	0	0.9
HB 19-1188 <sup>2</sup>	81,911	81,911	0	0	0	0.9
HB 19-1314 <sup>2</sup>	920	920	0	0	0	0.0
HB 20-1345 <sup>2</sup>	0	0	0	0	0	0.0
<b>TOTAL</b>	<b>\$56,653,663</b>	<b>\$55,197,745</b>	<b>\$90,000</b>	<b>\$1,365,918</b>	<b>\$0</b>	<b>306.9</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$56,653,663	\$55,197,745	\$90,000	\$1,365,918	\$0	306.9
Salary, benefits, and operating adjustments <sup>2</sup>	235,660	205,956	0	29,704	0	(0.3)
Ballot analysis cost adjustment <sup>1</sup>	200,000	200,000	0	0	0	0.0
Centrally appropriated line items <sup>1</sup>	180,812	180,812	0	0	0	0.0
Centrally appropriated line items <sup>2</sup>	(1,250,834)	(1,250,834)	0	0	0	0.0
Annualize prior year budget actions <sup>1</sup>	(250,000)	0	0	(250,000)	0	0.0
<b>HB 20-1360 (Long Bill)</b>	<b>\$4,990,689</b>	<b>\$4,990,689</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>HB 20-1345 (Legislative Approp. Bill)</b>	<b>\$50,778,612</b>	<b>\$49,542,990</b>	<b>\$90,000</b>	<b>\$1,145,622</b>	<b>\$0</b>	<b>306.6</b>
SB 20-214	(100,867)	(100,867)	0	0	0	0.0
SB 20-220	(81,162)	(81,162)	0	0	0	0.0
HB 20-1379	(660,409)	(660,409)	0	0	0	0.0
HB 20-1416	(7,865)	(7,865)	0	0	0	(0.1)
HB 20-1423	(46,887)	(46,887)	0	0	0	0.0
<b>TOTAL</b>	<b>\$54,872,111</b>	<b>\$53,636,489</b>	<b>\$90,000</b>	<b>\$1,145,622</b>	<b>\$0</b>	<b>306.5</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$1,781,552)</b>	<b>(\$1,561,256)</b>	<b>\$0</b>	<b>(\$220,296)</b>	<b>\$0</b>	<b>(0.4)</b>
Percentage Change	(3.1%)	(2.8%)	0.0%	(16.1%)	n/a	(0.1%)

<sup>1</sup> These FY 2019-20 appropriations and FY 2020-21 incremental changes are included in the figures reflected for HB 20-1360 (Long Bill).

<sup>2</sup> These FY 2019-20 appropriations and FY 2020-21 incremental changes are included in the figures reflected for HB 20-1345 (Legislative Approp. Bill).

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

A budget balancing provision in House Bill 20-1345 specifies that \$1,200,000 of the General Fund appropriated to the Legislative Department for FY 2019-20 that remains unencumbered and unexpended at the end of FY 2019-20 will revert to the General Fund rather than being transferred to the Legislative Department Cash Fund. This bill also authorizes up to \$24,000 of the General Fund appropriation to the Legislative Department for FY 2019-20 to be expended by the Legislative Council in FY 2020-21 for new member orientation.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**SALARY, BENEFITS, AND OPERATING ADJUSTMENTS:** The appropriation includes a net increase of \$235,660 total funds, including \$205,956 General Fund and \$29,704 reappropriated funds, and a reduction of 0.3 FTE. This net increase primarily includes increases for health, life, and dental insurance benefits, the increase in the employer retirement (PERA) contribution from 10.4 percent to 10.9 percent, and employee transportation stipends. These increases are primarily offset by decreases in operating and travel expenses that were made as part of the budget balancing process.

**BALLOT ANALYSIS COST ADJUSTMENT:** The appropriation includes an increase of \$200,000 for publishing the text and title of each 2020 statewide ballot measure and distributing the ballot information booklet (the “Blue Book”).

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items, as detailed in the following table.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>HB 20-1360 (Long Bill)</b>						
Capitol Complex leased space adjustment	\$182,547	\$182,547	\$0	\$0	\$0	0.0
CORE adjustment	12,146	12,146	0	0	0	0.0
Workers’ compensation adjustment	4,903	4,903	0	0	0	0.0
Payment to risk management / property funds adjustment	(11,994)	(11,994)	0	0	0	0.0
Legal services adjustment	(6,790)	(6,790)	0	0	0	0.0
<b>SUBTOTAL</b>	<b>\$180,812</b>	<b>\$180,812</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>HB 20-1345 (Legislative Appropriation Bill)</b>						
AED adjustment	81,867	81,867	0	0	0	0.0
SAED adjustment	81,867	81,867	0	0	0	0.0
Reduction for Health, Life, and Dental in lieu of 5.0 percent General Fund base personal services reduction (budget balancing action)	(1,381,131)	(1,381,131)	0	0	0	0.0
PERA Direct Distribution	(33,437)	(33,437)	0	0	0	0.0
<b>SUBTOTAL</b>	<b>(\$1,250,834)</b>	<b>(\$1,250,834)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>TOTAL</b>	<b>(\$1,070,022)</b>	<b>(\$1,070,022)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes a reduction of \$250,000 reappropriated funds transferred from the Department of Education for a biennial cost of living study. Legislative Council staff, pursuant to Section 22-54-104 (5)(c)(III)(A), C.R.S., is required to certify the cost of living factor for each school district every two years based on a cost of living analysis that is typically conducted through a contract. This study was funded in FY 2019-20, and will not need to be funded again until FY 2021-22.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# DEPARTMENT OF LOCAL AFFAIRS

The Department of Local Affairs (DOLA) is responsible for building community and local government capacity by providing training, technical, and financial assistance to localities. The Department's budget is comprised of four sections: the Executive Director's Office, Property Taxation, the Division of Housing, and the Division of Local Government.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund <sup>1</sup>	\$30,324,944	\$37,800,724	\$48,817,338	\$41,556,437
Cash Funds	181,821,729	186,097,459	205,682,582	195,000,550
Reappropriated Funds	11,319,391	12,147,248	12,565,874	15,178,663
Federal Funds	80,705,121	81,813,401	82,055,371	81,957,100
<b>TOTAL FUNDS</b>	<b>\$304,171,185</b>	<b>\$317,858,832</b>	<b>\$349,121,165</b>	<b>\$333,692,750</b>
Full Time Equiv. Staff	179.2	181.1	189.7	199.4

<sup>1</sup> Includes General Fund Exempt.

## GENERAL FACTORS DRIVING THE BUDGET

Funding for this department consists of 12.5 percent General Fund, 58.4 percent cash funds, 4.5 percent reappropriated funds, and 24.6 percent federal funds. Some of the major factors driving the Department's budget are discussed below.

## DISCRETIONARY APPROPRIATIONS OF STATE FUNDS

The Department of Local Affairs administers several programs that allocate state funds to local communities. The General Assembly has increased appropriations over the last five fiscal years, primarily from the General Fund and the Marijuana Tax Cash Fund, to support both ongoing and new initiatives. The following table details the most significant discretionary appropriations of state funds for FY 2020-21; several of these appropriations have been temporarily reduced for budget balancing purposes. Please note that this table does not include the foregone state General Fund revenue that results from state affordable housing tax credits most recently extended and expanded through S.B. 18-007 and H.B. 19-1228, or the additional state investments in affordable housing programs that resulted from H.B. 19-1245 starting in FY 2019-20.

SIGNIFICANT DISCRETIONARY APPROPRIATIONS FOR FY 2020-21			
PROGRAM	GENERAL FUND	MARIJUANA TAX CASH FUND	TOTAL FUNDS
Affordable Housing (grants, loans, and rental subsidies)	\$16,495,028	\$16,239,649	\$32,734,677
Fort Lyon Supportive Housing Program	4,996,662	0	4,996,662
Crime prevention initiatives <sup>1</sup>	2,000,000	0	2,000,000
Mental health support for peace officers <sup>1</sup>	2,000,000	0	2,000,000
Local Government Limited Gaming Impact Grants	1,875,000	0	1,875,000
Defense counsel for defendants in municipal courts <sup>1</sup>	995,520	0	995,520
Gray and black market marijuana enforcement <sup>1</sup>	0	950,673	950,673
Rural economic development initiative	780,000	0	780,000
<b>TOTAL</b>	<b>\$29,142,210</b>	<b>\$17,190,322</b>	<b>\$46,332,532</b>

<sup>1</sup> These programs were created in the last five fiscal years.

## DEDICATED CASH FUND SOURCES

The Department awards grants and oversees direct distributions to local governments for various programs with dedicated cash fund revenue sources. The FY 2020-21 appropriation for DOLA reflects \$174.9 million cash funds for these programs, which comprises about half of DOLA's overall budget. These amounts are shown for informational purposes only, and actual expenditures will differ significantly from the amounts shown in the annual Long Bill. These sources include the following:

- Local Government Mineral and Energy Impact Grants and Disbursements – state severance tax and federal mineral lease revenues are distributed to local governments affected by mineral extraction activities through statutory formulas and grants. Severance tax and federal mineral lease revenues are difficult to project as they are affected by oil, gas, and mineral prices and production volumes. Funds received in one year are not always awarded in the same year and, once awarded, may be expended over multiple years. The annual Long Bill includes an informational amount to reflect estimated annual direct distributions and new grant awards. The table below provides the most current FY 2020-21 estimate available for these funds, which is significantly lower than the \$123.0 million shown in the Long Bill.
- Conservation Trust Fund Disbursements – state lottery proceeds are distributed to local entities on a formula basis for parks, recreation, and open space purposes.
- Limited Gaming Impact Grants – limited gaming tax revenues are distributed to communities impacted by gaming activities. The \$5.1 million informational appropriation in the Long Bill is modified by H.B. 20-1399 (Suspend Limited Gaming Tax Transfers to Cash Funds), which temporarily suspends statutory transfers for this purpose and instead provides a \$1,875,000 General Fund appropriation to the Local Government Limited Gaming Impact Fund. For more information about H.B. 20-1399 (Suspend Limited Gaming Tax Transfers to Cash Funds), see *Appendix A*.

MAJOR CONSTITUTIONALLY OR STATUTORILY DEDICATED CASH FUND REVENUES ADMINISTERED BY THE DEPARTMENT OF LOCAL AFFAIRS (\$ MILLIONS)				
REVENUE SOURCE	FY 2017-18 ACTUAL	FY 2018-19 ACTUAL	FY 2019-20 ESTIMATE	FY 2020-21 ESTIMATE <sup>1,2</sup>
Severance Taxes <sup>1</sup>	\$54.1	\$112.4	\$81.1	\$15.4
Federal Mineral Lease Revenue <sup>1</sup>	40.0	47.6	24.1	28.6
Conservation Trust Fund	56.3	66.6	50.0	50.0
Limited Gaming Fund <sup>2</sup>	4.9	4.9	5.1	1.9
<b>TOTAL</b>	<b>\$155.3</b>	<b>\$231.5</b>	<b>\$160.3</b>	<b>\$95.9</b>

<sup>1</sup> The FY 2020-21 estimate for Severance Taxes and Federal Mineral Lease Revenue is based on Legislative Council Staff's June 2020 economic forecast and is significantly lower than the informational amount shown in the Long Bill due to ongoing turmoil in the global energy market.

<sup>2</sup> This amount reflects changes made by H.B. 20-1399, which temporarily suspends statutory transfers to the Local Government Limited Gaming Impact Fund and instead provides an appropriation of \$1.9 million General Fund.

## FEDERAL FUNDS

Federal funds comprise about one quarter (\$82.0 million) of DOLA's FY 2020-21 appropriation. Most of DOLA's federally funded programs do not require state matching funds and are provided at the discretion of federal authorities. The following table summarizes annual expenditures for major ongoing federal grants administered by DOLA. This table does not include funds received by DOLA through federal COVID-19 pandemic-related legislation.



**ANNUAL EXPENDITURES FROM MAJOR ONGOING FEDERAL GRANTS  
ADMINISTERED BY THE DEPARTMENT OF LOCAL AFFAIRS (\$ MILLIONS)**

	FY 2017-18 ACTUAL	FY 2018-19 ACTUAL	FY 2019-20 APPROP. <sup>1</sup>	FY 2020-21 APPROP. <sup>1</sup>
Federal Department of Housing and Urban Development (HUD)				
rental subsidies	\$58.2	\$60.7	\$51.5	\$51.5
HUD affordable housing development <sup>1</sup>	3.7	2.6	12.0	12.0
Health and Human Services Community Services Block Grant	6.2	6.0	6.0	6.0
HUD Community Development Block Grant <sup>1</sup>	7.3	8.3	5.2	5.2
HUD Emergency Shelter and Homeless Prevention Programs	1.7	1.7	1.8	1.8

<sup>1</sup> The portion of the Community Development Block Grant (CDBG) that is used for affordable housing development in the appropriation year is included in the affordable housing development amount, rather than the CDBG amount. However, actual expenditures reflect the Department's practice of expending all CDBG funds in the CDBG line item. In addition, the CDBG amount does not include CDBG-DR (disaster recovery) or CDBG-CV (coronavirus) funds, as these are not reflected in the Long Bill.

## APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

### DEPARTMENT OF LOCAL AFFAIRS

	TOTAL FUNDS	GENERAL FUND <sup>1,2</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$341,832,311	\$42,289,825	\$204,856,082	\$12,565,874	\$82,120,530	184.7
HB 19-1009	1,000,000	173,500	826,500	0	0	0.9
HB 19-1239	6,000,000	6,000,000	0	0	0	1.4
HB 19-1245	3,398	3,398	0	0	0	0.0
HB 19-1292	249,454	249,454	0	0	0	2.7
HB 20-1251	36,002	101,161	0	0	(65,159)	0.0
<b>TOTAL</b>	<b>\$349,121,165</b>	<b>\$48,817,338</b>	<b>\$205,682,582</b>	<b>\$12,565,874</b>	<b>\$82,055,371</b>	<b>189.7</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$349,121,165	\$48,817,338	\$205,682,582	\$12,565,874	\$82,055,371	189.7
Indirect cost assessment	243,708	(143,689)	33,479	356,924	(3,006)	0.0
Affordable housing administrative reappropriation	172,620	0	0	172,620	0	2.0
Transfer State Demography Office to new line	0	0	0	0	0	(0.0)
Changes related to HB 20-1262	0	500,000	0	(500,000)	0	0.0
Partially refinance Firefighter Heart and Circulatory Malfunction Benefits appropriation	0	(250,000)	250,000	0	0	0.0
Gray & Black Market Marijuana Enforcement reduction	(5,000,000)	0	(5,000,000)	0	0	0.0
Annualize prior year legislation	(2,978,658)	(3,425,643)	(38,784)	469,336	16,433	7.7
Crime Prevention Initiative Lending Program unused funds adjustment	(1,000,000)	(1,000,000)	0	0	0	0.0
Reduce Crime Prevention Initiative Grant Program	(1,000,000)	(1,000,000)	0	0	0	0.0
Reduce Defense Council on First Appearance Grant Program	(997,145)	(997,145)	0	0	0	0.0
Centrally appropriated line items	(626,887)	(594,712)	(259,620)	339,143	(111,698)	0.0
Technical changes	(408,052)	(173,500)	(234,552)	0	0	0.0
Annualize prior year budget actions	(283,039)	(300,000)	0	16,961	0	0.4
Moffat Tunnel District spending authority adjustment	(95,000)	0	(95,000)	0	0	0.0
<b>HB 20-1360</b>	<b>\$337,148,712</b>	<b>\$41,432,649</b>	<b>\$200,338,105</b>	<b>\$13,420,858</b>	<b>\$81,957,100</b>	<b>199.8</b>
HB 20-1019	250,000	250,000	0	0	0	0.0
HB 20-1095	26,215	26,215	0	0	0	0.5
HB 20-1371	(1,866,208)	(1,866,208)	0	0	0	(0.9)
HB 20-1379	(323,311)	(161,219)	(44,897)	(117,195)	0	0.0
HB 20-1399	(1,542,658)	1,875,000	(5,292,658)	1,875,000	0	0.0
<b>TOTAL</b>	<b>\$333,692,750</b>	<b>\$41,556,437</b>	<b>\$195,000,550</b>	<b>\$15,178,663</b>	<b>\$81,957,100</b>	<b>199.4</b>

DEPARTMENT OF LOCAL AFFAIRS						
	TOTAL FUNDS	GENERAL FUND <sup>1,2</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>INCREASE/(DECREASE)</b>	(\$15,428,415)	(\$7,260,901)	(\$10,682,032)	\$2,612,789	(\$98,271)	9.7
Percentage Change	(4.4%)	(14.9%)	(5.2%)	20.8%	(0.1%)	5.1%

<sup>1</sup> Includes General Fund Exempt.

<sup>2</sup> Includes \$4,375,000 in FY 2019-20 and FY 2020-21 that is not subject to the statutory restriction on state General Fund appropriations pursuant to Section 24-75-201.1, C.R.S.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1251 modifies the FY 2019-20 appropriation to:

- Add \$36,002 General Fund to correct the FY 2019-20 appropriation for H.B. 19-1245 (Affordable Housing Funding from Vendor Fee Changes); and
- Replace \$65,159 federal funds determined to be uncollectible with \$65,159 General Fund for PERA direct distribution payments, which help address PERA's unfunded liability.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**SUMMARY OF FY 2020-21 BUDGET BALANCING APPROPRIATIONS:** The FY 2020-21 appropriation includes a reduction of \$3.4 million total funds, comprised of \$2.6 million General Fund and \$750,000 cash funds, for budget balancing purposes. This total excludes budget reductions in additional legislation and in central appropriations, with the exception of the Health, Life, and Dental adjustment that was made as an alternative to a personal services base reduction. These actions are described individually below.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase of \$243,708 in the Department's indirect cost assessments, comprised of an increase of \$33,479 cash funds, an increase of \$356,924 reappropriated funds, and a decrease of \$3,006 federal funds. This increase in indirect cost assessments, plus a \$12,296 increase in the amount available in the Indirect Costs Excess Recovery Fund, increases by \$143,689 the amount of reappropriated funds that are appropriated to cover Department expenses in the Executive Director's Office. This results in a decrease of \$143,689 General Fund in appropriations to the Executive Director's Office. Of this change, \$140,000 was part of a budget balancing action.

**AFFORDABLE HOUSING ADMINISTRATIVE REAPPROPRIATION:** The appropriation includes a \$172,620 increase in reappropriated funds from the Affordable Housing Construction Grants and Loans line item to administer the affordable housing program. This funding will allow the Department to utilize the full 3.0 percent of administrative costs associated with the Housing Development Grant (HDG) Fund permitted by statute.

**TRANSFER STATE DEMOGRAPHY OFFICE TO NEW LINE:** The appropriation includes a budget-neutral transfer of the State Demography Office (SDO) and related funding from the Department's Division of Local Government to a new line item within the Executive Director's Office in the FY 2020-21 budget.

**CHANGES RELATED TO HB 20-1262:** The appropriation includes a reduction of \$500,000 reappropriated funds from the Department of Corrections for "Parolee Housing Support" and a corresponding \$500,000 General Fund appropriation. House Bill 20-1262 modifies the existing method of funding housing assistance for persons transitioning (HAPT) from the criminal or juvenile justice system. Instead, the General Assembly may annually make an appropriation from the General Fund directly to DOLA for these services.

**PARTIALLY REFINANCE FIREFIGHTER HEART AND CIRCULATORY MALFUNCTION BENEFITS APPROPRIATION:** The appropriation includes a one-time General Fund reduction of \$250,000 to the Firefighter Heart and Circulatory

Malfunction Benefits line item and a corresponding increase of \$250,000 from the Firefighters Benefits Cash Fund. This is a budget balancing action.

**GRAY & BLACK MARKET MARIJUANA ENFORCEMENT REDUCTION:** The appropriation includes a one-time reduction to the Gray and Black Market Marijuana Enforcement Grant Program of \$5.0 million from the Marijuana Tax Cash Fund. Grant spending has historically not met the program appropriation level; the Department therefore requested a one-time reduction of \$4.0 million. The program was reduced by an additional \$1.0 million as a budget balancing action.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1263 Controlled Substance Possession	\$1,866,208	\$1,866,208	\$0	\$0	\$0	0.9
HB 18-1326 Transition from Institutional Settings	573,240	573,240	0	0	0	0.0
HB 19-1245 Vendor Fee Changes	482,700	42,180	0	440,520	0	6.3
SB 18-200 PERA	80,305	23,840	11,216	28,816	16,433	0.0
HB 19-1292 Colorado Resiliency Office	18,907	18,907	0	0	0	0.3
HB 19-1309 Regulation of Mobile Home Parks	0	0	0	0	0	0.0
HB 19-1009 Substance Use Disorder Recovery	0	0	0	0	0	0.1
HB 19-1239 2020 Census Outreach	(5,914,016)	(5,914,016)	0	0	0	0.1
SB 18-191 Gaming Impacts Study	(50,000)	0	(50,000)	0	0	0.0
HB 19-1245 Vendor Fee Changes Supplemental Adjustment	(36,002)	(36,002)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$2,978,658)</b>	<b>(\$3,425,643)</b>	<b>(\$38,784)</b>	<b>\$469,336</b>	<b>\$16,433</b>	<b>7.7</b>

**CRIME PREVENTION INITIATIVE LENDING PROGRAM UNUSED FUNDS ADJUSTMENT:** The appropriation includes an ongoing General Fund reduction of \$1,000,000 to the Crime Prevention Initiative Small Business Lending (“CCPI Lending”) Program. The CCPI Lending Program provides loans to specific neighborhoods in Aurora and Colorado Springs representing underserved markets. The Department requested the reduction as annual demand for loans has not met the program appropriation level.

**REDUCE CRIME PREVENTION INITIATIVE GRANT PROGRAM:** The appropriation includes a General Fund reduction of \$1,000,000 to the Crime Prevention Initiative Grant Program for FY 2020-21. This is a budget balancing action.

**REDUCE DEFENSE COUNCIL ON FIRST APPEARANCE GRANT PROGRAM:** The appropriation includes a General Fund reduction of \$997,145 to the Defense Council on First Appearance Grant Program for FY 2020-21. This is a budget balancing action.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments for centrally appropriated line items, as detailed in the following table, including a Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction for budget balancing purposes.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
CORE adjustment	\$125,963	\$39,710	\$16,775	\$45,865	\$23,613	0.0
Health, life, and dental adjustment	115,285	14,341	37,339	52,269	11,336	0.0
Legal services adjustment	55,132	253,919	(187,826)	(6,098)	(4,863)	0.0
Capitol Complex leased space adjustment	51,215	23,663	750	23,343	3,459	0.0

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
OIT Colorado Digital Services	31,244	15,622	0	15,622	0	0.0
AED adjustment	10,824	(11,177)	1,950	7,460	12,591	0.0
SAED adjustment	10,824	(11,177)	1,950	7,460	12,591	0.0
Short-term disability adjustment	321	(457)	89	249	440	0.0
Payments to OIT adjustment	(655,881)	(639,710)	(109,302)	248,911	(155,780)	0.0
Health, Life, and Dental decrease in lieu of personal services base reduction	(235,018)	(235,018)	0	0	0	0.0
OIT Budget request package	(83,840)	(25,915)	(11,429)	(31,411)	(15,085)	0.0
Leased space adjustment	(13,000)	(2,155)	0	(10,845)	0	0.0
Payment to risk management / property funds adjustment	(12,054)	(3,634)	(3,357)	(5,063)	0	0.0
PERA Direct Distribution	(10,942)	(3,388)	(2,825)	(4,729)	0	0.0
Annual fleet supplemental true-up	(8,753)	(7,880)	0	(873)	0	0.0
Workers' compensation adjustment	(8,207)	(1,456)	(3,734)	(3,017)	0	0.0
<b>TOTAL</b>	<b>(\$626,887)</b>	<b>(\$594,712)</b>	<b>(\$259,620)</b>	<b>\$339,143</b>	<b>(\$111,698)</b>	<b>0.0</b>

**TECHNICAL CHANGES:** The appropriation includes technical adjustments, as detailed in the following table.

TECHNICAL CHANGES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Correction to H.B. 19-1009 fund source	\$0	(\$173,500)	\$173,500	\$0	\$0	0.0
Housing assistance for persons transitioning funding adjustment	(408,052)	0	(408,052)	0	0	0.0
<b>TOTAL</b>	<b>(\$408,052)</b>	<b>(\$173,500)</b>	<b>(\$234,552)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 HCPF Home Modification Waiver Program	\$14,231	\$0	\$0	\$14,231	\$0	0.3
FY 2019-20 HCPF Individual Residential Support Services	5,235	0	0	5,235	0	0.1
FY 2019-20 Census 2020 funding	(300,000)	(300,000)	0	0	0	0.0
FY 2019-20 Salary survey	(2,505)	0	0	(2,505)	0	0.0
<b>TOTAL</b>	<b>(\$283,039)</b>	<b>(\$300,000)</b>	<b>\$0</b>	<b>\$16,961</b>	<b>\$0</b>	<b>0.4</b>

**MOFFAT TUNNEL DISTRICT SPENDING AUTHORITY ADJUSTMENT:** The appropriation includes an ongoing reduction of \$95,000 cash funds for the Moffat Tunnel Improvement District. This line item has only expended about \$70 annually since FY 2012-13, with an exception in FY 2017-18 when \$5,456 was paid to respond to a Request for Information to the JBC.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

The Department of Military and Veterans Affairs has approximately 5,500 Army and Air National Guard members trained and ready for federal active duty abroad and for preserving life and property during natural disasters and civil emergencies at home in Colorado.

The Department maintains the equipment and facilities for the state military forces; provides for safekeeping of the public arms, military records, relics and banners of the state; assists veterans and National Guard members with benefits claims; maintains the Western Slope Veterans' Cemetery and the Grand Junction Veterans' One-stop Center; supports the Civil Air Patrol, Colorado Wing; and assists in fighting the spread of drug trafficking and abuse.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	\$10,530,168	\$11,206,594	\$11,856,255	\$10,343,790
Cash Funds	1,135,343	1,203,530	1,470,429	1,641,694
Reappropriated Funds	0	0	4,143	163,167
Federal Funds	215,302,549	219,710,038	118,388,018	120,137,574
<b>TOTAL FUNDS</b>	<b>\$226,968,060</b>	<b>\$232,120,162</b>	<b>\$131,718,845</b>	<b>\$132,286,225</b>
Full Time Equiv. Staff	1,393.3	1,407.5	2,579.1	2,534.6

## GENERAL FACTORS DRIVING THE BUDGET

Funding for this department consists of 7.8 percent General Fund, 1.2 percent cash funds, 0.1 percent reappropriated funds, and 90.8 percent federal funds. Some of the major factors driving the Department's budget are discussed below. The primary factors driving the budget are National Guard operations and state services provided for veterans. The Department also provides limited assistance to the Colorado Wing of the Civil Air Patrol.

### COLORADO NATIONAL GUARD

The federal government fully funds the training and salary of National Guard troops and provides the majority of the funding for the construction of armories and other military buildings. Under the cooperative agreements with the federal government, the State provides funding for 50.0 percent of maintenance and utilities costs at the fifteen armories located on state land, and between 20.0 and 25.0 percent of costs at four other facilities. The State also funds most of the state's central administrative costs for the National Guard.

Colorado National Guard expenditures are driven by the "federal force structure" (the number of Guard personnel authorized by the U.S. National Guard Bureau) and the State's ability to fill the force structure. Combined with the associated facilities maintenance and utility needs, this determines the amount of federal funds flowing into and through the Department. Colorado has both Army National Guard and Air National Guard units.

The table below shows the authorized strength and active membership of the Colorado National Guard.

COLORADO NATIONAL GUARD AUTHORIZED STRENGTH AND MEMBERSHIP						
TOTAL AUTHORIZED STRENGTH	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
Army National Guard	3,980	3,825	3,812	3,834	3,851	3,892
Air National Guard	1,566	1,559	1,559	1,632	1,637	1,629

## COLORADO NATIONAL GUARD AUTHORIZED STRENGTH AND MEMBERSHIP

TOTAL NATIONAL GUARD MEMBERS	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20
Army National Guard	3,964	3,787	3,933	3,757	3,789	3,760
Air National Guard	1,544	1,518	1,507	1,560	1,592	1,706
<b>Total Members</b>	<b>5,508</b>	<b>5,305</b>	<b>5,440</b>	<b>5,317</b>	<b>5,381</b>	<b>5,466</b>
Percentage of Slots Filled	99.3%	98.5%	101.3%	97.3%	98.1%	99.0%

The State budget shows federal funds for informational purposes. The budget includes rough estimates of federal outlays for military personnel and more precise estimates of the federal share of expenditures to maintain and operate National Guard facilities in cooperation with the state. The amount of state support required for National Guard operations is driven by the creation or expansion of armories, state decisions on the level of staff support for those facilities, changes in federal policies on cost-sharing with states, and state policies on compensation and operating costs for the Department's civilian administrative staff. In FY 2019-20, the State increased maintenance staffing for readiness centers by over 30 percent.

In addition, the State provides a tuition assistance program for members of the Colorado National Guard. Funding for the tuition assistance program is driven by tuition rates at state institutions of higher education, program participation, and legislative appropriations and policy.

Due to the 2020 coronavirus pandemic and resulting state revenue declines, the FY 2020-21 budget includes reductions in General Fund appropriations for National Guard operating expenses and tuition assistance.

## DIVISION OF VETERANS AFFAIRS

The Division of Veterans Affairs (DVA) budget includes state support to assist veterans in obtaining federal veterans' benefits, state support for grants to governmental and non-profit entities that provide mental health, family counseling, job training, employment, housing, and other services to veterans, and state funding for the Veterans' OneSource Center and Western Slope Veterans' Cemetery in Grand Junction. The state budget does not include federal outlays for veterans' services.

About half of the state General Fund money appropriated in this division supports staff who assist veterans in obtaining benefits. Veterans represent nearly ten percent of Colorado's adult population, and many are eligible for federal benefits. However, even those who are eligible may not apply for or use their federal benefits. Typically only 25.0 to 30.0 percent of Colorado veterans are active patients in the federal Veterans Administration (VA) healthcare system.

Veterans may apply directly to the federal government for benefits, but many use help from a third party, such as a benefits officer supported by county or state government or a nonprofit, to ensure they receive the federal benefits they have earned. The state veterans' service operations staff assist veterans with claims before the U.S. Department of Veterans Affairs and support county veterans' service officers with training and other resources. County veterans' services officers are located throughout the state, and associated county costs are partially reimbursed by the Division.

In recent years, counties and the State have increased the number of Colorado veterans they assist in obtaining benefits. The table below shows new claims filed by the Division of Veterans Affairs each year and, for context, shows new claims as a percentage of the estimated Colorado veteran population. Note that the methodology for counting new claims has been corrected, so data prior to 2017 are not available.

	ESTIMATED COLORADO VETERAN POPULATION	NEW VETERANS' CLAIMS BY DIVISION OF VETERANS AFFAIRS	NEW CLAIMS AS PERCENTAGE OF VETERAN POPULATION
2017	403,327	11,437	2.8%
2018	398,783	11,680	2.9%
2019	400,829	12,807	3.2%

The budget in this division is driven primarily by discretionary decisions by the General Assembly to enhance or reduce state-supported veterans' services and grant programs, the amount of Tobacco Master Settlement funds received and disbursed from the Colorado State Veterans Trust Fund, and the operating costs for the Veterans' OneSource and Western Slope Veterans' Cemetery in Grand Junction. In recent years, the General Assembly increased county reimbursements for county veterans' services officers, increased grant funding for veterans programs, and authorized the new Grand Junction veterans one-stop center, known as the Western Region OneSource, to provide a central location for government and non-profit veterans' services on the Western Slope.

Due to the 2020 coronavirus pandemic and resulting declines in state revenue, FY 2020-21 General Fund appropriations for veterans assistance grants are reduced and some Western Region OneSource costs are refinanced through grants from the Colorado State Veterans Trust Fund. In addition, H.B. 20-1380 (Move Tobacco Litigation Settlement Money to General Fund) transfers \$3.0 million from the Colorado State Veterans Trust Fund to the General Fund, and H.B. 20-1381 (Cash Fund Transfers to the General Fund) transfers \$1.0 million from the Veterans Assistance Grant Program Cash Fund to the General Fund.

## APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$131,630,851	\$11,615,507	\$1,470,429	\$4,143	\$118,540,772	2,579.1
HB 20-1252	87,994	240,748	0	0	(152,754)	0.0
<b>TOTAL</b>	<b>\$131,718,845</b>	<b>\$11,856,255</b>	<b>\$1,470,429</b>	<b>\$4,143</b>	<b>\$118,388,018</b>	<b>2,579.1</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$131,718,845	\$11,856,255	\$1,470,429	\$4,143	\$118,388,018	2,579.1
Informational funds adjustment	1,460,451	0	0	0	1,460,451	(44.6)
Western Region OneSource	212,359	(103,365)	157,862	157,862	0	0.0
Centrally appropriated line items	99,406	(196,034)	4,677	1,162	289,601	0.0
Annualize prior year legislation	58,539	22,420	872	0	35,247	0.0
Veterans Trust Fund revenue adjustment	11,394	0	11,394	0	0	0.0
National Guard Tuition Assistance	(600,000)	(600,000)	0	0	0	0.0
Operating expense reduction	(150,000)	(150,000)	0	0	0	0.0
Veterans Assistance Grant reduction	(150,000)	(150,000)	0	0	0	0.0
Annualize prior year budget actions	(35,920)	(177)	0	0	(35,743)	0.1
Community provider rate	(12,573)	(12,573)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$132,612,501</b>	<b>\$10,666,526</b>	<b>\$1,645,234</b>	<b>\$163,167</b>	<b>\$120,137,574</b>	<b>2,534.6</b>
HB 20-1379	(238,282)	(234,742)	(3,540)	0	0	0.0
HB 20-1398	(87,994)	(87,994)	0	0	0	0.0
<b>TOTAL</b>	<b>\$132,286,225</b>	<b>\$10,343,790</b>	<b>\$1,641,694</b>	<b>\$163,167</b>	<b>\$120,137,574</b>	<b>2,534.6</b>
<b>INCREASE/(DECREASE)</b>	<b>\$567,380</b>	<b>(\$1,512,465)</b>	<b>\$171,265</b>	<b>\$159,024</b>	<b>\$1,749,556</b>	<b>(44.5)</b>
Percentage Change	0.4%	(12.8%)	11.6%	3,838.4%	1.5%	(1.7%)

### FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1252 includes an increase of \$87,994 General Fund to ensure the Department complies with Section 24-30-1310, C.R.S., that requires the General Assembly to set aside funds to support future replacement of new capital assets. The bill also modifies fund sources for PERA direct distribution payments, replacing federal funds determined to be uncollectable with General Fund appropriations.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**SUMMARY OF FY 2020-21 BUDGET BALANCING APPROPRIATIONS:** The FY 2020-21 appropriation adjustments in this table include a reduction of \$900,320 total funds, comprised of reductions of \$1,216,044 General Fund, partially offset by increases of \$157,862 cash funds and \$157,862 reappropriated funds, for budget balancing purposes. These actions are described individually below. This total excludes budget reductions in additional legislation and in central appropriations, with the exception of the Health, Life, and Dental adjustment that was made as an alternative to a personal services base reduction.

**INFORMATIONAL FUNDS ADJUSTMENT:** The appropriation includes an increase of \$1.5 million federal funds and a decrease of 44.6 FTE shown for informational purposes. Estimates are based on recent-year spending and related information provided by the Department.

**WESTERN REGION ONESOURCE:** The appropriation includes adjustments to appropriations for the Grand Junction Veterans One-stop Center (known as the Western Region OneSource) and the Veterans Trust Fund related to operations, maintenance, and staff support at the OneSource. Appropriation adjustments include: (1) reduce \$103,365 General Fund for operations and maintenance costs; and (2) increase \$157,862 cash funds in the Veterans Trust Fund line item and \$157,862 informational reappropriated funds in the Grand Junction Veterans One-stop line item for amounts awarded by the Board of Veterans Affairs for the OneSource. Revenue from OneSource tenants is expected to cover these costs when the facility is fully occupied. This is a budget balancing action.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items. Appropriations for centrally appropriated line items include budget balancing actions.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Health, life, and dental adjustment	\$245,901	\$27,524	\$995	\$0	\$217,382	0.0
Payments to OIT adjustment	71,564	71,564	0	0	0	0.0
AED adjustment	45,306	(1,087)	1,190	0	45,203	0.0
SAED adjustment	45,306	(1,087)	1,190	0	45,203	0.0
CORE adjustment	19,157	19,157	0	0	0	0.0
Shift differential adjustment	4,005	0	0	0	4,005	0.0
Short-term disability adjustment	1,863	93	45	0	1,725	0.0
Leased space adjustment	1,898	1,898	0	0	0	0.0
Indirect cost assessment adjustment	1,162	(1,162)	1,162	1,162	0	0.0
Capitol Complex leased space adjustment	174	174	0	0	0	0.0
HLD decrease in lieu of ps base reduction	(200,106)	(200,106)	0	0	0	0.0
Payment to risk management / property funds adjustment	(65,895)	(65,895)	0	0	0	0.0
DPA Annual fleet vehicle request	(31,157)	(13,274)	0	0	(17,883)	0.0
Legal services adjustment	(17,843)	(17,843)	0	0	0	0.0
PERA Direct Distribution	(11,872)	(11,967)	95	0	0	0.0
Workers' compensation adjustment	(10,057)	(4,023)	0	0	(6,034)	0.0
<b>TOTAL</b>	<b>\$99,406</b>	<b>(\$196,034)</b>	<b>\$4,677</b>	<b>\$1,162</b>	<b>\$289,601</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an increase of \$58,539 total funds for the third-year impact of S.B. 18-200 (Modification to PERA to Eliminate Unfunded Liability).

**VETERANS TRUST FUND REVENUE ADJUSTMENT:** The appropriation includes an adjustment to spending authority from the Veterans Trust Fund based on the net impact of the Legislative Council Staff FY 2020-21 Tobacco Master Settlement revenue projection and the projected interest earnings on amounts in the Trust Fund.

**NATIONAL GUARD TUITION ASSISTANCE:** The appropriation includes a \$600,000 General Fund reduction to the appropriation to the National Guard Tuition Assistance Fund based on current spending trends and reserves for the



program. Of this amount, \$175,000 is anticipated to be ongoing, while \$425,000 will be restored in FY 2021-22. This is a budget balancing action.

**OPERATING EXPENSE REDUCTION:** The appropriation includes reductions of \$50,000 General Fund for operating expenses for Department administration and \$100,000 General Fund for the Army National Guard Cooperative agreement. This is a budget balancing reduction.

**VETERANS ASSISTANCE GRANT REDUCTION:** The appropriation includes a reduction of \$150,000 General Fund for the Veterans Assistance Grant Program. This is a budget balancing action.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions. In this department, the appropriation includes a reduction of \$35,920 total funds and an increase of 0.1 FTE for the second-year impact of an FY 2019-20 adjustment to increase maintenance staff and vehicles.

**COMMUNITY PROVIDER RATE:** The appropriation includes a decrease of \$12,573 General Fund for the one percent common policy across-the-board decrease for most community providers. This is a budget balancing action.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

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# DEPARTMENT OF NATURAL RESOURCES

The Department of Natural Resources is responsible for developing, protecting, and enhancing Colorado's natural resources for the use and enjoyment of present and future residents and visitors. The Department is comprised of the following divisions: the Executive Director's Office, including the Colorado Avalanche Information Center; the Division of Reclamation, Mining, and Safety; the Oil and Gas Conservation Commission; the State Board of Land Commissioners; the Division of Parks and Wildlife; the Colorado Water Conservation Board; and the Division of Water Resources.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	\$30,864,532	\$32,005,418	\$42,671,491	\$32,699,083
Cash Funds	230,795,872	238,857,665	260,232,426	265,159,811
Reappropriated Funds	6,932,593	7,933,687	7,523,560	7,170,362
Federal Funds	26,699,468	26,568,474	26,609,004	26,658,934
<b>TOTAL FUNDS</b>	<b>\$295,292,465</b>	<b>\$305,365,244</b>	<b>\$337,036,481</b>	<b>\$331,688,190</b>
Full Time Equiv. Staff	1,458.6	1,464.5	1,495.9	1,511.9

## GENERAL FACTORS DRIVING THE BUDGET

Funding for the Department of Natural Resources in FY 2020-21 consists of 9.9 percent General Fund, 79.9 percent cash funds, 2.2 percent reappropriated funds, and 8.0 percent federal funds. Some of the major factors driving the Department's budget are discussed below.

### DIVISION OF PARKS AND WILDLIFE

The Division of Parks and Wildlife (CPW) is the largest division within the Department, accounting for 51.2 percent of the Department's total appropriations for FY 2020-21. Wildlife Operations manages 960 of the State's native wildlife species and accounts for 62.3 percent of the CPW budget. State Parks manages 42 state parks and accounts for about 27.1 percent of the CPW budget.

The Division is almost entirely cash funded. Key sources of revenue include hunting and fishing license sales, state parks passes, state lottery proceeds, and awards from Great Outdoors Colorado (GOCO).

CPW also manages several special purpose programs, including the Off-highway Vehicle Program, the Aquatic Nuisance Species Program, and the Snowmobile Program. Funding sources vary from program to program, but most programs are supported by fee revenue, severance taxes from oil and gas production, lottery proceeds, and/or GOCO awards.

#### *LOTTERY PROCEEDS AND GREAT OUTDOORS COLORADO (GOCO) BOARD GRANTS*

CPW currently receives 10.0 percent of net lottery proceeds to develop, maintain, and improve state park properties and facilities. Another 50.0 percent of net lottery proceeds are allocated to the Great Outdoors Colorado Trust Fund, which is split between grants for State Parks and Wildlife.<sup>1</sup> Grants for State Parks are used for developing new parks (capital) as well as enhancing and maintaining existing parks (operating). Wildlife grants are used for species protection, habitat development, and wildlife education. Pursuant to Article XXVII of the Colorado Constitution, GOCO grants are not subject to legislative appropriation.

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<sup>1</sup> The remaining 40.0 percent of net lottery proceeds goes to the Conservation Trust Fund administered by the Department of Local Affairs.

## DEPARTMENT ADMINISTRATION

The Executive Director's Office (EDO) receives the second largest amount of funding within the Department, accounting for 20.5 percent of the Department's total appropriations. Almost three-quarters of EDO appropriations are related to benefits for the Department's 1,511.9 full-time equivalent (FTE) employees, legal services, and vehicle lease payments. The EDO is mostly cash-funded, but it also receives about 30.5 percent—or \$10.0 million—of the Department's total General Fund appropriations.

## COLORADO WATER CONSERVATION BOARD

The Colorado Water Conservation Board (CWCB) Construction Board accounts for 10.8 percent of the Department's total appropriations. The CWCB manages the two major cash funds that support water project loans and grants in the State: the CWCB Construction Fund and the Severance Tax Perpetual Base Fund

The majority of the CWCB's overall appropriation comes from the CWCB Projects Bill (H.B. 20-1403), which appropriates a total of \$26,030,000 for water projects around the State. For more details about the bill and those projects, see Appendix A.

## WATER RESOURCES DIVISION (STATE ENGINEER'S OFFICE)

The Division of Water Resources (DWR) accounts for about two-thirds of the Department's total General Fund appropriation. DWR uses these appropriations to manage water resources in the State of Colorado. This includes daily oversight of water allocation to farmers, industries, municipalities, and all other water users within the state. DWR also has contractual water delivery obligations for nine compacts, two United States Supreme Court decrees, and other interstate water allocation agreements.

## OIL AND GAS ACTIVITY

The Colorado Oil and Gas Conservation Commission (OGCC) is charged with fostering the responsible, balanced development, production, and utilization of the natural resources of oil and gas in the state of Colorado in a manner consistent with protection of public health, safety, and welfare, including protection of the environment and wildlife resources. The OGCC is funded primarily by two sources of cash funds: the Severance Tax Operational Fund and the Oil and Gas Conservation and Environmental Response Fund. The following table outlines OGCC workload measures.

OGCC WORKLOAD MEASURES						
	FY 2015-16 Actual	FY 2016-17 Actual	FY 2017-18 Actual	FY 2018-19 Actual	FY 2019-20 Forecast <sup>a</sup>	FY 2020-21 Forecast <sup>a</sup>
Active Wells	53,651	54,605	53,738	53,045	52,200	51,800
Drilling Permits Requested	3,317	4,624	8,127	7,576	3,000	3,000
Well Starts (Spud)	1,083	1,525	1,908	1,736	1,300	1,300
Active Drilling Rigs	25	25	34	33	26	26
Site Investigations & Remediation Workplans	514	456	613	1106	1400	2,000
Average Inspection Frequency (years)	1.3	1.4	1.8	1.5	1.6	1.6
Hearing Applications	680	635	950	961	700	700
Known Orphaned Sites at Start of Year			267	365	422	470
Orphaned Sites Where Work Was Performed			61	45	200	200
<b>OGCC Expenditures<sup>b</sup></b>	<b>\$11,403,628</b>	<b>\$10,890,389</b>	<b>\$12,996,675</b>	<b>\$13,268,316</b>	<b>\$20,613,071</b>	<b>\$20,098,484</b>
<b>Total FTE</b>	<b>104.0</b>	<b>101.5</b>	<b>102.2</b>	<b>110.0</b>	<b>140.3</b>	<b>147.3</b>
<sup>a</sup> Data included for FY 2019-20 and FY 2020-21 are estimates provided by the Oil and Gas Conservation Commission.						
<sup>b</sup> Expenditures are shown for the Division only. They include all fund sources (including bond claims) but do not include centrally appropriated items funded in the Executive Director's Office. Expenditures for FY 2019-20 and FY 2020-21 reflect the appropriated amount (Long Bill and other legislation).						

## SEVERANCE TAX REVENUE

The availability of severance tax revenues affects funding for many programs in the Department. Pursuant to Section 39-29-108 (2)(b), C.R.S., total severance tax revenues are divided equally between the State Severance Tax Trust Fund, administered by the Department of Natural Resources, and the Local Government Severance Tax Fund, administered by the Department of Local Affairs to provide funding to local governments impacted by mining activities. Of revenues credited to the State Severance Tax Trust Fund, 50.0 percent (or 25.0 percent of total severance tax revenues) are allocated to the Severance Tax Perpetual Base Fund, used by the Colorado Water Conservation Board for water construction projects. The other 50.0 percent of State Severance Tax Trust Fund revenues (or 25.0 percent of total severance tax revenues) are allocated to the Severance Tax Operational Fund. For FY 2020-21, the Severance Tax Operational Fund accounts for \$15.2 million or 4.6 percent of total departmental appropriations and 5.7 percent of cash fund appropriations. The following table outlines the funding provided to the Severance Tax Operational Fund, which funds Core Departmental Programs and Natural Resources and Energy Grant Programs.

SEVERANCE TAX OPERATIONAL FUND				
	FY 2018-19 ACTUAL	FY 2019-20 APPROPRIATION	FY 2020-21 APPROPRIATION	FY 2021-22 PROJECTED
<b>Revenue</b>				
Beginning Fund Balance	\$9,414,921	\$53,592,926	\$33,875,877	\$4,708,072
NR&E Distributions in Arrears (Aug 15)	0	(36,378,072)	(16,836,548)	0
<i>Balance after NREG Distributions</i>	<i>\$9,414,921</i>	<i>\$17,214,854</i>	<i>\$17,039,329</i>	<i>4,708,072</i>
HB 18-1338 Transfers from GF	20,030,925	0	0	0
Revenue/Projected Revenue*	40,027,039	33,270,584	3,942,306	11,777,941
Interest/Projected Interest	685,781	698,726	526,457	592,437
<b>Total Available Revenue</b>	<b>\$70,158,666</b>	<b>\$51,184,164</b>	<b>\$21,508,092</b>	<b>\$17,078,450</b>
<b>Core Departmental Programs - DNR &amp; CGS</b>				
Oil & Gas Conservation Commission	\$6,148,067	\$6,148,067	\$6,148,067	\$6,148,067
CO Geo Survey	1,585,133	1,627,932	1,627,932	1,627,932
Avalanche Information Center	707,829	354,874	653,840	653,840
Reclamation, Mining, & Safety	2,956,230	2,892,355	2,956,230	2,956,230
CO Water Conservation Board	1,319,250	1,319,250	1,319,250	1,319,250
CPW - Parks	2,499,927	2,367,555	2,445,584	2,445,584
CPW - Wildlife	0	54,343	54,343	54,343
Executive Director's Office	1,753,171	1,788,384	1,594,774	1,594,774
<b>Core Programs Total</b>	<b>\$16,969,607</b>	<b>\$16,552,760</b>	<b>\$16,800,020</b>	<b>\$16,800,020</b>
<b>Core Reserve Requirement (100%)</b>	<b>\$17,214,854</b>	<b>\$16,552,760</b>	<b>\$16,800,020</b>	<b>\$16,800,020</b>
Revenue Held in Section 1 Reserve	17,214,854	16,552,760	4,708,072	278,430
<i>% Held in Section 1 Reserve</i>	<i>100.0%</i>	<i>100.0%</i>	<i>28.0%</i>	<i>1.7%</i>
<b>Other Expenditures</b>				
DRMS Legacy Mine Hydro Roll-forwards	\$0	\$755,527	\$0	\$0
<b>Other Expenditures Total</b>	<b>\$0</b>	<b>\$755,527</b>	<b>\$0</b>	<b>\$0</b>
<b>Revenue Available for NREG Programs</b>	<b>\$35,974,205</b>	<b>\$17,323,117</b>	<b>\$0</b>	<b>\$0</b>
<b>Amount Held for Distribution</b>	<b>36,378,072</b>	<b>16,836,548</b>	<b>0</b>	<b>0</b>
<i>% of Authorized Distribution</i>	<i>100.0%</i>	<i>46.3%</i>	<i>0.0%</i>	<i>0.0%</i>
<b>NREG Reserve Requirement (100%)</b>	<b>\$36,378,072</b>	<b>\$36,378,072</b>	<b>\$36,378,072</b>	<b>\$36,378,072</b>
Revenue Held in Grant Program Reserve	0	486,569	0	0
<i>% Held in Grant Program Reserve</i>	<i>0.0%</i>	<i>1.3%</i>	<i>0.0%</i>	<i>0.0%</i>
<b>Transfer to Perpetual Base Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Natural Resources and Energy Grant Program Distributions (S.B. 19-016)</b>				
Water Supply Reserve Fund	\$0	\$10,000,000	\$4,628,213	\$0
Soil Conservation District Grants	0	450,000	208,270	0
Water Efficiency Grant Program	0	550,000	254,552	0
Species Conservation Trust Fund	0	5,000,000	2,314,107	0
LEAP - Low-income Energy Assistance	0	13,000,000	6,016,677	0
Interbasin Compact Committee	0	745,067	344,833	0

SEVERANCE TAX OPERATIONAL FUND				
	FY 2018-19 ACTUAL	FY 2019-20 APPROPRIATION	FY 2020-21 APPROPRIATION	FY 2021-22 PROJECTED
Forestry Grants	0	2,500,000	1,157,053	0
Aquatic Nuisance Species	0	4,006,005	1,854,065	0
Abandoned Mine Reclamation	0	127,000	58,778	0
<b>NREG Program Total Distributions</b>	<b>\$0</b>	<b>\$36,378,072</b>	<b>\$16,836,548</b>	<b>\$0</b>
*Based on the May 2020 Legislative Council Staff Revenue Forecast				

## STATE BOARD OF LAND COMMISSIONERS

The State Board of Land Commissioners (State Land Board) manages agricultural, commercial, mineral, and other leases on eight public trusts of land and is tasked with generating reasonable and consistent revenue for trust beneficiaries over time. The Public School Trust benefiting K-12 education is the largest of the trusts managed by the State Land Board, accounting for 98.8 percent of total trust revenues since FY 2010-11. Fifty percent of the gross amount of income received during the fiscal year from state public school lands is deposited in the Public School Capital Construction Assistance Fund for the Building Excellent Schools Today (BEST) program.

## APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

DEPARTMENT OF NATURAL RESOURCES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$307,613,503	\$33,464,597	\$239,942,706	\$7,523,560	\$26,682,640	1,489.9
SB 19-181	851,010	0	851,010	0	0	6.0
SB 19-212	10,000,000	10,000,000	0	0	0	0.0
SB 19-221	19,355,000	0	19,355,000	0	0	0.0
HB 20-1253	83,710	73,636	83,710	0	(73,636)	0.0
HB 20-1403	(866,742)	(866,742)	0	0	0	0.0
<b>TOTAL</b>	<b>\$337,036,481</b>	<b>\$42,671,491</b>	<b>\$260,232,426</b>	<b>\$7,523,560</b>	<b>\$26,609,004</b>	<b>1,495.9</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$337,036,481	\$42,671,491	\$260,232,426	\$7,523,560	\$26,609,004	1,495.9
Centrally appropriated line items	364,536	(853,768)	1,219,919	(68,190)	66,575	0.0
Technical adjustments	313,118	0	163,118	0	150,000	1.0
Staff for avalanche center	287,497	0	287,497	0	0	3.0
Accounting and procurement staff	238,172	0	0	238,172	0	3.0
CPW legal services	191,592	0	191,592	0	0	0.0
Electronic oil and gas filing system	147,840	0	147,840	0	0	0.0
Water conservation specialist	98,112	0	98,112	0	0	1.0
Vehicle for water commissioner	6,208	6,208	0	0	0	0.0
Watershed and flood protection specialist	0	0	0	0	0	1.0
Optimize inactive mines program spending authority	0	0	0	0	0	0.0
Annualize prior year legislation	(26,795,158)	(9,058,977)	(17,771,346)	19,133	16,032	7.0
Reduce orphaned well spending authority	(1,761,000)	0	(1,761,000)	0	0	0.0
Annualize prior year budget actions	(1,099,439)	(1,165)	(1,097,529)	0	(745)	1.0
Indirect cost assessment	(295,091)	455,927	(243,114)	(455,927)	(51,977)	0.0
True-up coal program spending authority	(164,500)	0	(34,545)	0	(129,955)	(1.0)
<b>HB 20-1360</b>	<b>\$308,568,368</b>	<b>\$33,219,716</b>	<b>\$241,432,970</b>	<b>\$7,256,748</b>	<b>\$26,658,934</b>	<b>1,511.9</b>
HB 20-1153	25,904	0	25,904	0	0	0.0
HB 20-1379	(2,936,082)	(520,633)	(2,329,063)	(86,386)	0	0.0
HB 20-1403	26,030,000	0	26,030,000	0	0	0.0
<b>TOTAL</b>	<b>\$331,688,190</b>	<b>\$32,699,083</b>	<b>\$265,159,811</b>	<b>\$7,170,362</b>	<b>\$26,658,934</b>	<b>1,511.9</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$5,348,291)</b>	<b>(\$9,972,408)</b>	<b>\$4,927,385</b>	<b>(\$353,198)</b>	<b>\$49,930</b>	<b>16.0</b>
Percentage Change	(1.6%)	(23.4%)	1.9%	(4.7%)	0.2%	1.1%

## FY 2019-20 MID-YEAR ADJUSTMENTS

House Bill 20-1253 increases the FY 2019-20 appropriation by a total of \$83,710 cash funds from the Oil and Gas Conservation and Environmental Response Fund. The purpose of the increase was to support development of an electronic filing system to manage hearing applications for the Oil and Gas Conservation Commission. The bill also makes a net-zero adjustment to the PERA Direct Distribution line item.

House Bill 20-1403 reduces a \$1,700,000 General Fund appropriation for a water demand management program (S.B. 19-212 State Water Plan) by \$866,742 and extends the remaining \$833,258 through FY 2020-21.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to the following centrally appropriated line items: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; PERA direct distributions; shift differential; workers' compensation; legal services; administrative law judges; payment to risk management and property funds; vehicle lease payments; Capitol complex leased space; payments to the Governor's Office of Information Technology (OIT); and CORE operations. The appropriation includes a Health, Life, and Dental reduction of \$1,035,518 General Fund in lieu of a General Fund, personal services base reduction for budget balancing purposes.

**TECHNICAL ADJUSTMENTS:** The appropriation includes an increase of \$313,118 total funds for technical adjustments to various line items.

TECHNICAL ADJUSTMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Depreciation lease-equivalent payments	\$163,117	\$0	\$163,117	\$0	\$0	0.0
CWCB FTE FEMA supported	150,000	0	0	0	150,000	1.0
CPW Beaver Park Dam loan	1	0	1	0	0	0.0
<b>TOTAL</b>	<b>\$313,118</b>	<b>\$0</b>	<b>\$163,118</b>	<b>\$0</b>	<b>\$150,000</b>	<b>1.0</b>

**STAFF FOR AVALANCHE CENTER:** The appropriation includes an increase of \$287,497 cash funds from the Severance Tax Operational Fund and 3.0 FTE for the Colorado Avalanche Information Center (CAIC). The increase is for three backcountry avalanche forecasters and three leased vehicles equipped for winter travel.

**ACCOUNTING AND PROCUREMENT STAFF:** The appropriation includes an increase of \$238,172 reappropriated funds from indirect cost assessments for 3.0 FTE to address increasing workload in the accounting and procurement sections of the Executive Director's Office.

**CPW LEGAL SERVICES:** The appropriation includes an increase of \$191,592 cash funds from the Wildlife Cash Fund and the Parks and Outdoor Recreation Cash Fund to support 1,800 hours of additional legal support for Colorado Parks and Wildlife.

**ELECTRONIC OIL AND GAS FILING SYSTEM:** The appropriation includes an increase of \$147,840 cash funds from the Oil and Gas Conservation and Environmental Response fund for the development of an electronic filing system to manage hearing applications for the Oil and Gas Conservation Commission.

**WATER CONSERVATION SPECIALIST:** The appropriation includes an increase of \$98,112 cash funds from the Colorado Water Conservation Board (CWCB) Construction Fund and 1.0 FTE to add a water conservation specialist.

**VEHICLE FOR WATER COMMISSIONER:** The appropriation includes an increase of \$6,208 General Fund for the lease of one state vehicle for the La Plata water commissioner in the Division of Water Resources.

**WATERSHED AND FLOOD PROTECTION SPECIALIST:** The appropriation includes a budget neutral reallocation of \$108,643 cash funds spending authority from the CWCW Intrastate Water Management and Development line item to the CWCW Personal Services and Operating Expenses line items. This reallocation will support the addition of 1.0 FTE for the Watershed and Flood Protection section.

**OPTIMIZE INACTIVE MINES PROGRAM SPENDING AUTHORITY:** The appropriation includes a budget neutral line item consolidation in the Division of Reclamation, Mining, and Safety's Inactive Mines Reclamation Program. The change consolidates the Legacy Mine Hydrology Projects, Reclamation of Forfeited Mine Sites, and Emergency Responses Costs line items into the Inactive Mines Program Costs line item.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 19-181 Protect public welfare oil and gas	\$1,067,979	\$0	\$1,067,979	\$0	\$0	7.0
HB 20-1403 CWCW projects bill	866,742	866,742	0	0	0	0.0
SB 18-200 PERA	650,121	99,281	515,675	19,133	16,032	0.0
SB 19-221 CWCW projects bill	(19,355,000)	0	(19,355,000)	0	0	0.0
SB 19-212 State water plan	(10,000,000)	(10,000,000)	0	0	0	0.0
HB 19-1045 Veterans entrance fee	(25,000)	(25,000)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$26,795,158)</b>	<b>(\$9,058,977)</b>	<b>(\$17,771,346)</b>	<b>\$19,133</b>	<b>\$16,032</b>	<b>7.0</b>

**REDUCE ORPHANED WELL SPENDING AUTHORITY:** The appropriation includes a total decrease of \$1,761,000 cash funds spending authority from the Oil and Gas Conservation and Environmental Response Fund to align appropriations with actual expenditures. The decrease is for two line items: Plugging and Reclaiming Abandoned Wells, and Emergency Response. This is a budget balancing action.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Capital development	\$94,801	\$0	\$94,801	\$0	\$0	1.0
FY 17-18 Digital radio replacement	(1,024,000)	0	(1,024,000)	0	0	0.0
FY 19-20 Electronic filing system for oil and gas	(83,710)	0	(83,710)	0	0	0.0
FY 19-20 Additional oil and gas staffing	(76,862)	0	(76,862)	0	0	0.0
FY 19-20 Cameo SRA	(7,309)	0	(7,309)	0	0	0.0
FY 19-20 Salary survey	(2,359)	(1,165)	(449)	0	(745)	0.0
<b>TOTAL</b>	<b>(\$1,099,439)</b>	<b>(\$1,165)</b>	<b>(\$1,097,529)</b>	<b>\$0</b>	<b>(\$745)</b>	<b>1.0</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the Department's indirect cost assessment.

**TRUE-UP COAL PROGRAM SPENDING AUTHORITY:** The appropriation includes a decrease of \$34,545 cash funds from the Severance Tax Operational Fund and a decrease of \$129,955 federal funds in the Coal Land Reclamation Program to align with actual expenditures.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.





# DEPARTMENT OF PERSONNEL

The Department of Personnel administers the State personnel system. Its responsibilities include developing the annual employee compensation plan, administering personnel policies for classified employees, and administering the State's employee group benefit plans such as health, life, and dental insurance and short-term disability insurance. It supports the State Personnel Board, which is responsible for ensuring compliance with the state personnel system. The Department also provides general support services for state agencies, including: overseeing state fiscal rules through the Office of the State Controller; administering the State's procurement policies, maintaining the state archives and public records; providing for statewide planning and post-appropriation construction for capital construction and controlled maintenance; overseeing statewide lease and building energy policy through the Office of the State Architect; maintaining the buildings in the capitol complex; providing mail services for state agencies; providing document handling services such as printing and copying; administering the State's motor vehicle fleet; and providing administrative law judge services.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	\$12,499,410	\$14,074,381	\$17,132,726	\$14,049,455
Cash Funds	14,926,636	14,336,747	14,485,983	13,872,652
Reappropriated Funds	168,790,189	176,990,307	179,351,330	181,613,069
Federal Funds	0	0	0	0
<b>TOTAL FUNDS</b>	<b>\$196,216,235</b>	<b>\$205,401,435</b>	<b>\$210,970,039</b>	<b>\$209,535,176</b>
Full Time Equiv. Staff	422.1	425.6	404.9	408.8

## GENERAL FACTORS DRIVING THE BUDGET

Funding for this department consists of 6.7 percent General Fund, 6.6 percent cash funds, and 86.7 percent reappropriated funds. The primary source of reappropriated funds is user fees transferred from other agencies for the provision of statewide services. Some of the major factors driving the Department's budget are discussed below.

### NUMBER OF STATE EMPLOYEES

The Department administers the State's policies and programs related to employee compensation and benefits. Statewide expenditures are driven by the number of employees, the percentage of employees who choose to participate in optional benefit plans, and the Department's contracts with the benefit providers. The following table shows the number of FTE appropriated statewide, excluding employees in the Department of Higher Education.

STATE EMPLOYEES - FTE REFLECTED IN APPROPRIATIONS <sup>1</sup>										
	FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17	FY17-18	FY18-19	FY19-20	FY20-21
Total FTE	30,657.3	30,617.7	30,841.9	31,544.4	31,921.7	32,178.1	32,413.9	32,832.2	34,650.4	35,008.6
Percent Change		-0.1%	0.7%	2.3%	1.2%	0.8%	0.7%	1.3%	5.5%	1.0%
10-Year Growth Percentage										14.2%

<sup>1</sup> Excludes Department of Higher Education

The Department's Executive Director serves as the State Personnel Director, and pursuant to Section 24-50-104 (4) (c), C.R.S., submits to the Governor and the Joint Budget Committee of the General Assembly annual recommendations and estimated costs for salaries and group benefit plans for state employees.

## RISK MANAGEMENT

The State's Risk Management Program provides insurance coverage to state agencies for workers' compensation and property and liability insurance. The state is self-insured for workers' compensation and liability and purchases property insurance from a commercial insurer. Appropriations and allocations to state agencies for risk management coverage are calculated using actuarially-determined prospective claims losses. Certain higher education institutions administer their own risk management programs, typically those with larger student populations. For FY 2020-21, the total appropriation for risk management is \$63.2 million compared to \$62.7 million in FY 2019-20.

## STATE FLEET PROGRAM

The Division of Capital Assets administers the state's fleet management program, which purchases or leases vehicles, manages maintenance and repairs, manages the fleet, auctions older vehicles, and manages the state motor pool. Vehicle costs include variable and fixed expenses. Variable costs are billed at a rate per mile based on department and vehicle type and are typically paid from *Operating Expenses* line items. Variable costs include insurance, fuel, maintenance, and repairs. Fixed costs include the vehicle lease payments and the Department's vehicle management fee and are included in each department's *Vehicle Lease Payments* line item. The Department acquires private-sector financing for new or replacement vehicles.

For FY 2020-21, the total appropriation for the Fleet Management program is \$46.3 million compared to \$45.1 million in FY 2019-20.

## APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

DEPARTMENT OF PERSONNEL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$210,322,472	\$14,980,606	\$16,939,500	\$178,402,366	\$0	426.7
SB 19-135	650,000	650,000	0	0	0	0.0
SB 19-158	2,000	0	0	2,000	0	0.0
SB 19-186	1,000	0	0	1,000	0	0.0
SB 19-220	1,000	0	0	1,000	0	0.0
HB 19-1085	1,200	0	0	1,200	0	0.0
HB 19-1090	24,750	0	0	24,750	0	0.0
HB 19-1230	4,790	0	0	4,790	0	0.0
HB 19-1234	4,950	0	0	4,950	0	0.0
HB 19-1278	2,790	2,790	0	0	0	0.0
HB 19-1327	34,650	0	0	34,650	0	0.0
HB 20-1254	(79,563)	1,499,330	(2,453,517)	874,624	0	(21.8)
<b>TOTAL</b>	<b>\$210,970,039</b>	<b>\$17,132,726</b>	<b>\$14,485,983</b>	<b>\$179,351,330</b>	<b>\$0</b>	<b>404.9</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$210,970,039	\$17,132,726	\$14,485,983	\$179,351,330	\$0	404.9
Property program adjustment	2,478,647	0	0	2,478,647	0	0.0
Annualize prior year budget action	1,399,082	369,026	(2,104)	1,032,160	0	0.0
Annual fleet vehicle request	1,163,580	0	0	1,163,580	0	0.0
Indirect cost assessment	605,291	0	22,236	583,055	0	0.0
Telematics for state fleet vehicles	389,374	0	0	389,374	0	1.0
Capitol Complex program adjustment	377,785	0	32,188	345,597	0	0.0
Annualize prior year legislation	376,654	(1,443,273)	2,592,771	(772,844)	0	21.8
Mobile monitoring oil and gas health effects	102,462	0	0	102,462	0	0.0
CORE information security audit finding	79,376	0	0	79,376	0	0.0
Centrally appropriated line items	29,190	264,137	(372,276)	137,329	0	0.0
Capitol security adjustment	27,779	0	0	27,779	0	0.0
Streamlining electronic document processing	15,910	3,605	0	12,305	0	0.0
Creation of contract management office	3,361	0	0	3,361	0	0.0

DEPARTMENT OF PERSONNEL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Fund adjustment	0	(636,214)	30,923	605,291	0	0.0
Technical correction SB 19-135 appropriation	0	0	0	0	0	0.0
CORE program adjustment	0	0	(763,776)	763,776	0	0.0
Administrative Courts technical	0	0	0	0	0	0.0
Postage spending authority reduction	(3,000,000)	0	0	(3,000,000)	0	0.0
Workers Compensation program adjustment	(1,345,961)	0	0	(1,345,961)	0	0.0
Collections services refinance and restructure	(1,284,435)	166,394	(1,763,923)	313,094	0	(23.4)
Unused authority for license plate auctions	(1,000,000)	0	(1,000,000)	0	0	0.0
Statewide planning services unused spending authority	(980,000)	(980,000)	0	0	0	0.0
Liability program adjustment	(346,570)	0	0	(346,570)	0	0.0
Tobacco Master Settlement Agreement revenue adjustment	(124,214)	0	(124,214)	0	0	0.0
Legislative cash fund correction	(112,250)	0	(112,250)	0	0	0.0
<b>HB 20-1360</b>	<b>\$209,825,100</b>	<b>\$14,876,401</b>	<b>\$13,025,558</b>	<b>\$181,923,141</b>	<b>\$0</b>	<b>404.3</b>
HB 20-1001	69,450	0	0	69,450	0	0.0
HB 20-1153	879,159	0	879,159	0	0	4.5
HB 20-1379	(671,727)	(260,140)	(32,065)	(379,522)	0	0.0
HB 20-1398	(566,806)	(566,806)	0	0	0	0.0
<b>TOTAL</b>	<b>\$209,535,176</b>	<b>\$14,049,455</b>	<b>\$13,872,652</b>	<b>\$181,613,069</b>	<b>\$0</b>	<b>408.8</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$1,434,863)</b>	<b>(\$3,083,271)</b>	<b>(\$613,331)</b>	<b>\$2,261,739</b>	<b>\$0</b>	<b>3.9</b>
Percentage Change	(0.7%)	(18.0%)	(4.2%)	1.3%	n/a	1.0%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1254 modifies FY 2019-20 appropriations to:

- Add \$597,810 reappropriated funds for vehicle replacement lease or purchase payments for FY 2019-20 to true up appropriations with anticipated expenditures;
- Make a technical correction to the appropriation for S.B. 19-135 (Statewide Disparity Study) to move the funds from the operating costs line item to the personal services line item, where they can be used to pay the contractor performing the study as intended by the bill; and
- Reduce by \$0.7 million total funds across several fund sources and 21.8 FTE related to systemic changes needed for the Collections program to align appropriations with revenues and expenditures. The majority of positions being eliminated were already vacant. The change includes an *increase* of \$1.5 million General Fund. The expenses of the current structure of the Collections program exceed the fee revenues being collected from successful collection activity. The General Fund appropriation will provide a temporary bridge to the new structure, which will rely on a small number of state employees primarily serving as managers directing the work of private party collections agents.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**PROPERTY PROGRAM ADJUSTMENT:** The appropriation includes an increase of \$2.5 million reappropriated funds to reduce the reserves in the Self Insured Property Fund, which also reduces the burden to state tenants by reducing the amount of costs that must be allocated to them on a usable per square footage rate.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY19-20 Printing and mailing for DRIVES	\$1,032,160	\$0	\$0	\$1,032,160	\$0	0.0
FY15-16 Total comp. vendor	300,000	300,000	0	0	0	0.0
FY13-14 Employee engagement survey	116,700	116,700	0	0	0	0.0
Digital storage adjustment	70,033	70,033	0	0	0	0.0
FY19-20 IDS Increased input costs	8,012	8,012	0	0	0	0.0
Refinance GF with P-Card rebate	0	(30,923)	30,923	0	0	0.0
FY19-20 Capitol portraits restoration	(125,000)	(125,000)	0	0	0	0.0
FY19-20 salary survey	(2,823)	(719)	(2,104)	0	0	0.0
<b>TOTAL</b>	<b>\$1,399,082</b>	<b>\$338,103</b>	<b>\$28,819</b>	<b>\$1,032,160</b>	<b>\$0</b>	<b>0.0</b>

**ANNUAL FLEET VEHICLE REQUEST:** The appropriation includes a \$1.2 million increase in reappropriated funds for the Vehicle Replacement Lease/Purchase line item for the Fleet Management Program, paid by users of fleet vehicles. The appropriation allows for the replacement of 607 out of 740 vehicles requested to be replaced, including 190 hybrid vehicles, 127 electric vehicles, 3 CNG-capable vehicles, and 415 conventional combustion engine vehicles.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the department's indirect cost assessment.

**TELEMATICS FOR STATE FLEET VEHICLES:** The appropriation includes an increase of \$389,374 reappropriated funds and 1.0 FTE for the installation and ongoing support of telematics units in all fleet vehicles managed by the Department's State Fleet Management Program. The Department will work with its vendor to retrofit the existing fleet over the next four fiscal years, targeting a quarter of the fleet each year. New vehicles will be delivered to assigned agencies with telematics devices already installed. The appropriation also supports 1.0 FTE to manage the data, provide change management associated with the information, and communicate with agency fleet managers.

**CAPITOL COMPLEX PROGRAM ADJUSTMENT:** The appropriation includes an increase of \$377,785 total funds, including \$32,188 cash funds and \$345,597 reappropriated funds, based on anticipated program costs for maintenance and operations of state-owned and -operated buildings. Funds originate as other fund types paid by agency tenants.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB18-200 PERA	\$151,747	\$58,847	\$7,254	\$85,646	\$0	0.0
SB13-276 Disability investigational pilot program	82,000	0	82,000	0	0	0.0
HB20-1254 Supplemental bill	79,563	(1,499,330)	2,453,517	(874,624)	0	21.8
HB13-1286 Suspend state recovery audits	50,000	0	50,000	0	0	0.0
HB19-1090 Publicly licensed marijuana companies	9,900	0	0	9,900	0	0.0
HB19-1230 Marijuana hospitality establishments	4,790	0	0	4,790	0	0.0
SB19-186 Expand ag chemical management	2,000	0	0	2,000	0	0.0
SB19-220 Align hemp regulation with fed	2,000	0	0	2,000	0	0.0
HB19-1278 Uniform election modification	(2,790)	(2,790)	0	0	0	0.0
SB18-1267 Tax credit for home retrofit	(1,356)	0	0	(1,356)	0	0.0
HB19-1085 Grants for property tax, heat, rent	(1,200)	0	0	(1,200)	0	0.0
<b>TOTAL</b>	<b>\$376,654</b>	<b>(\$1,443,273)</b>	<b>\$2,592,771</b>	<b>(\$772,844)</b>	<b>\$0</b>	<b>21.8</b>

**MOBILE MONITORING OIL AND GAS HEALTH EFFECTS:** The appropriation includes \$102,462 reappropriated funds transferred from the Department of Public Health and Environment for vehicle lease payments related to monitoring oil and gas health effects.

**CORE INFORMATION SECURITY AUDIT FINDING:** The appropriation includes an increase of \$79,376 reappropriated funds to implement several audit findings surrounding vendor access to state information systems recommended by the State Auditor's Office.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to the following centrally appropriated line items: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; PERA direct distributions; shift differential; workers' compensation; legal services; administrative law judges; payment to risk management and property funds; vehicle lease payments; payments to the Governor's Office of Information Technology (OIT); and CORE operations. The appropriation includes a Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction.

**CAPITOL SECURITY ADJUSTMENT:** The appropriation includes an increase of \$27,779 reappropriated funds, which is transferred from the General Assembly to fund regular State Patrol operations at the capitol. This adjustment is made annually and primarily accounts for changes in personal services funded in prior year budget decisions.

**STREAMLINING ELECTRONIC DOCUMENT PROCESSING:** The appropriation includes an increase of \$15,910 total funds, including \$3,605 General Fund and \$12,305 reappropriated funds, to expand the usage of DocuSign, an electronic document management system/software capable of securely transferring documents for signatures. While the Department utilizes DocuSign currently, it has identified further uses that will benefit from the technology, including intake forms for employees seeking assistance from the Colorado State Employee Assistance Program (C-SEAP).

**CREATION OF A CONTRACT MANAGEMENT OFFICE:** The appropriation includes an increase of \$3,361 reappropriated funds for the creation of a contract management office.

**FUND SOURCE ADJUSTMENT:** The appropriation includes an increase in the amount of total department indirect cost recoveries applied, which is reflected in an increased appropriation of reappropriated funds and cash funds.

**TECHNICAL CORRECTION SB 19-135 APPROPRIATION:** The appropriation includes a technical correction moving funding for SB 19-135 (State Procurement Disparity Study) from the Operating Expenses line item to the Personal Services line item to correct a technical error in the original appropriation. The study is underway and is anticipated to be complete by December 2020.

**CORE PROGRAM ADJUSTMENT:** The appropriation includes a decrease of \$763,776 cash funds offset by an equal amount of reappropriated funds for CORE Operations base adjustments for the Payments for CORE and Support Modules line item. This adjustment refinances the fund source from the Supplier Database Cash Fund (cash funds) to state agency user fees (reappropriated funds).

**ADMINISTRATIVE COURTS TECHNICAL:** The appropriation includes a refinance in Administrative Courts to shift \$4,749 cash funds and \$4,749 reappropriated funds between Personal Services and Operating Expenses, which results in a net-zero change in the division and department.

**POSTAGE SPENDING AUTHORITY REDUCTION:** The appropriation includes a reduction of \$3.0 million reappropriated funds to accounted for reduced postage costs associated with a recent postage fee increase not rising as high as estimated for setting prior budget years spending authority, changes in federal law that reduced the

quantity of mail required to be sent through the Colorado Benefits Management System (CBMS), and cost savings from packing mailings in smaller envelopes with lower postage rates.

**WORKERS' COMPENSATION PROGRAM ADJUSTMENT:** The appropriation includes a decrease of \$1.3 million reappropriated funds associated with the Workers' Compensation program to adjust the base to account for its anticipated expenditures. Changes include a reduction of \$1.0 million reappropriated funds for the payment of claims anticipated during the budget year, as estimated by the contractual actuary, \$0.2 million reduction to the third-party administrator fees and loss control, and \$0.1 million for the excess policy.

**COLLECTIONS SERVICES REFINANCE AND RESTRUCTURE:** The appropriation includes a net decrease of \$1.3 million total funds and 23.4 FTE, which consists of a decrease of \$1,763,923 cash funds and an *increase* of \$166,394 General Fund and \$313,094 reappropriated funds, to address operational challenges encountered due to recent changes in state and federal policy. The change allows the program to refocus on the utilization of federal and State tax offsets. The Department expects the restructuring of Central Collections will allow for better customer service for state agencies and continue debt collection on behalf of agencies through private collection agents and intercepts. With these changes, the program expects to return to recovering revenue to meet its operating costs.

**UNUSED AUTHORITY FOR LICENSE PLATE AUCTIONS:** The appropriation includes a reduction of \$1.0 million in cash funds spending authority in FY 2020-21 and ongoing for the Disability Investigational and Pilot Support Procurement program based on the program's recent and anticipated expenditures, which averaged \$375,000 in FY 2014-15 and FY 2015-16 and ranged from \$4,000 to \$62,000 in subsequent years. This change also include updating the line item to Disability Funding Committee to reflect its current name.

**STATEWIDE PLANNING SERVICES UNUSED SPENDING AUTHORITY:** The appropriation includes a one-time reduction of \$980,000 General Fund for the Office of the State Architect's Statewide Planning Services. The State developed this program pursuant to S.B. 15-270 (Create Office of State Architect) which directed the State Architect to assist state agencies to complete master plans to inform capital construction decisions. Planned expenditures are unlikely to be impacted due to sufficient spending authority existing remaining from prior appropriations with multi-year spending authority.

**LIABILITY PROGRAM ADJUSTMENT:** The appropriation includes a decrease of \$346,750 reappropriated funds based on the Department's estimated payments required to be paid to insure against liability for injuries and damages affecting state agencies.

**TOBACCO MASTER SETTLEMENT AGREEMENT REVENUE ADJUSTMENT:** The appropriation includes a decrease based on the Legislative Council FY 2020-21 Tobacco Master Settlement revenue projection.

**LEGISLATIVE CASH FUND CORRECTION:** The appropriation eliminates continuation of an appropriation from the Legislative Cash Fund, which was included as a source of funding for the depreciation of the House and Senate Chambers due to a technical error.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

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# DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

The Department of Public Health and Environment consists of the following 11 divisions:

- 1 Administration and Support
  - a. Provides department-wide administrative services
  - b. Houses the Health Disparities Program, which provides grants for health initiatives aimed at reducing and eliminating disparities currently existing in the provision of health services across the state
  - c. Houses the Office of Planning and Partnerships, which oversees the distribution of state funds to local public health agencies
- 2 Center for Health and Environmental Information
  - a. Maintains a database of all Colorado births, deaths, marriages, and divorces
  - b. Provides birth and death certificates
  - c. Gathers and analyzes health data for use by public and private agencies
  - d. Operates the Medical Marijuana Registry
- 3 Laboratory Services
  - a. Provides testing, analysis, and results reporting of laboratory tests on specimens and samples submitted by other divisions, departments, and private clients
  - b. Includes the following laboratory units:
    - i. Molecular Sciences and Newborn Screening Units
    - ii. Public Health Microbiology and Environmental Microbiology Units
    - iii. Organic and Inorganic Units
    - iv. Evidential Breath and Alcohol Testing and Certification Units
- 4 Air Pollution Control Division
  - a. Performs statewide air monitoring, pollutant analysis, and air emission modeling
  - b. Researches the causes and effects of pollution from mobile vehicles and implements strategies aimed at reducing emissions from mobile sources
  - c. Permits, monitors, and inspects factories, power plants, and other commercial air pollutant emitters for compliance with air pollutant emissions standards
- 5 Water Quality Control Division
  - a. Issues waste water discharge permits and, if necessary, takes enforcement action to ensure compliance with water quality standards
  - b. Issues water quality permits for the following sectors: construction, public and private utilities, commerce and industry, pesticides, and water quality certification
  - c. Monitors the pollutant levels in rivers, streams, and other bodies of water
  - d. Conducts surveillance of public and non-public drinking water sources to ensure compliance with federal and state water quality standards
  - e. Reviews designs and specifications of new and/or expanding water treatment facilities

- 6 Hazardous Materials and Waste Management Division
  - a. Regulates the treatment, storage, and disposal of solid and hazardous waste in Colorado
  - b. Performs inspections of solid waste facilities
  - c. Oversees hazardous waste generators, transporters, and storage facilities
  - d. Regulates commercial radioactive materials in Colorado
  - e. Administers the Waste Tire Program
- 7 Division of Environmental Health and Sustainability
  - a. Certifies and inspects wholesale food distributors and dairy processors
  - b. Oversees restaurant, child care facility, and school inspections done by local public health agencies (with a few exceptions where the State is responsible for these inspections)
  - c. Administers the following environmental sustainability programs:
    - i. Environmental Leadership Program
    - ii. Pollution Prevention Program
    - iii. Pharmaceutical Take-Back Program
  - d. Administers the Recycling Resources Opportunity Program
  - e. Administers the Animal Feeding Operations Program
- 8 Disease Control and Environmental Epidemiology Division
  - a. Responsible for identifying, containing, controlling, and tracking the spread of communicable diseases, with a focus on: hepatitis, tuberculosis, sexually transmitted infections, and HIV/AIDS
  - b. Operates the Immunization Program, which includes the Immunization Outreach Program, the Colorado Immunization Information System, and grants to local public health agencies for operation of immunization clinics
  - c. Assesses the threat risk from environmental contaminants on human health, and, when needed, takes action to contain and/or nullify these threats
- 9 Prevention Services Division
  - a. Administers the Tobacco Education, Prevention, and Cessation Program and the Cancer, Cardiovascular Disease, and Chronic Pulmonary Disease Prevention, Early Detection, and Treatment Program
  - b. Operates the Breast and Cervical Cancer Screening Program
  - c. Operates programs for children with special needs and the Genetics Counseling Program
  - d. Administers the School-Based Health Centers Program
  - e. Administers injury and suicide prevention programs
  - f. Operates the Primary Care Office and Oral Health Program
  - g. Administers the following two federal food assistance programs:
    - i. Women, Infants, and Children Program
    - ii. Child and Adult Care Food Program
- 10 Health Facilities and Emergency Medical Services Division
  - a. Enforces, through certification and inspections, the standards for the operation of health care facilities, including hospitals and nursing facilities
  - b. Inspects and certifies emergency medical and trauma service providers
- 11 Office of Emergency Preparedness and Response
  - a. Works with local agencies and other state departments to ensure Colorado is prepared for, and able to respond to, a variety of natural and man-made disasters
  - b. Coordinates a statewide network of laboratories, local agencies, hospitals, and other resources that can be utilized during disaster response



# DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund <sup>1,2</sup>	\$48,798,277	\$52,128,667	\$62,733,564	\$59,958,515
Cash Funds	188,457,556	192,656,016	206,351,030	188,149,625
Reappropriated Funds	45,239,889	47,439,428	49,385,559	49,047,028
Federal Funds	297,512,266	299,022,334	301,861,481	300,970,024
<b>TOTAL FUNDS</b>	<b>\$580,007,988</b>	<b>\$591,246,445</b>	<b>\$620,331,634</b>	<b>\$598,125,192</b>
Full Time Equiv. Staff	1,336.0	1,346.1	1,384.6	1,397.0

<sup>1</sup> Includes appropriations from the CARE subfund of the General Fund for FY 2019-20 and FY 2020-21.

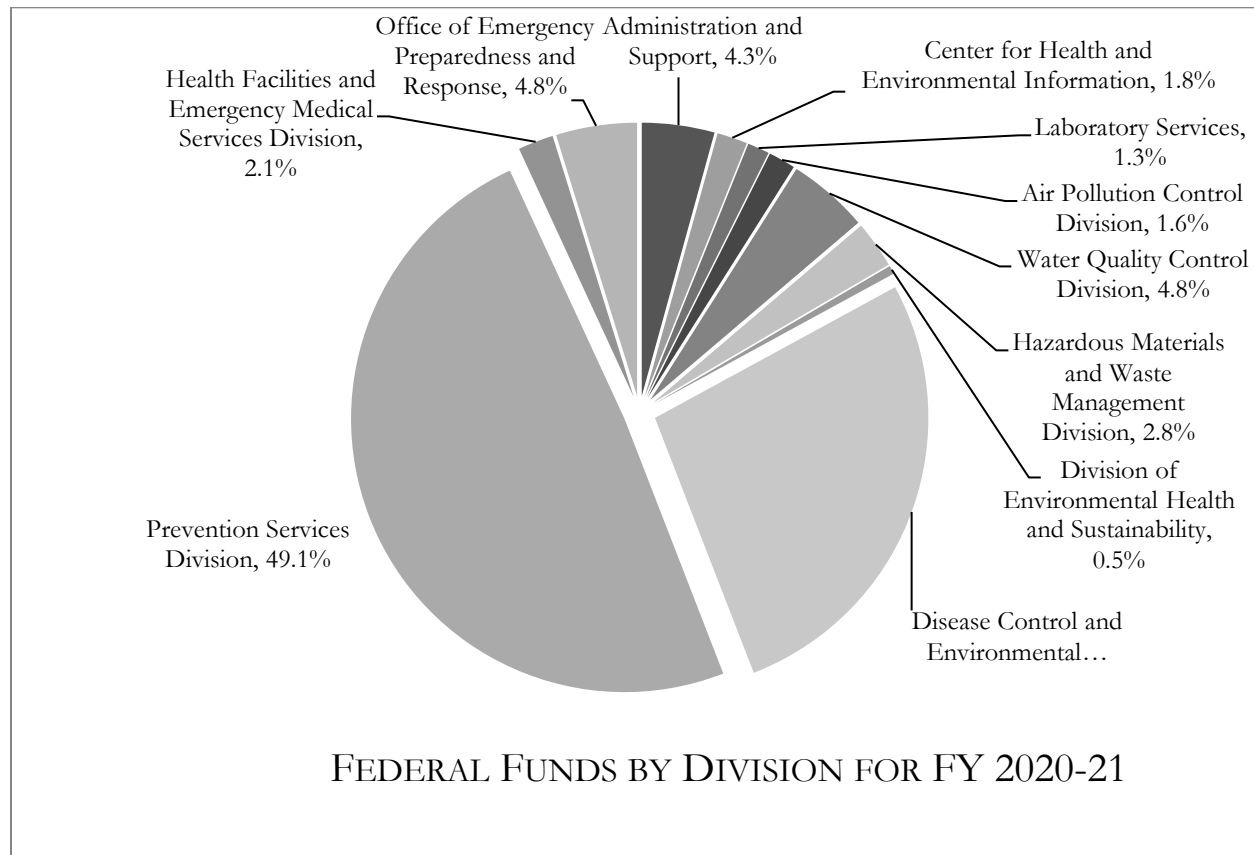
<sup>2</sup> Includes General Fund Exempt.

## GENERAL FACTORS DRIVING THE BUDGET

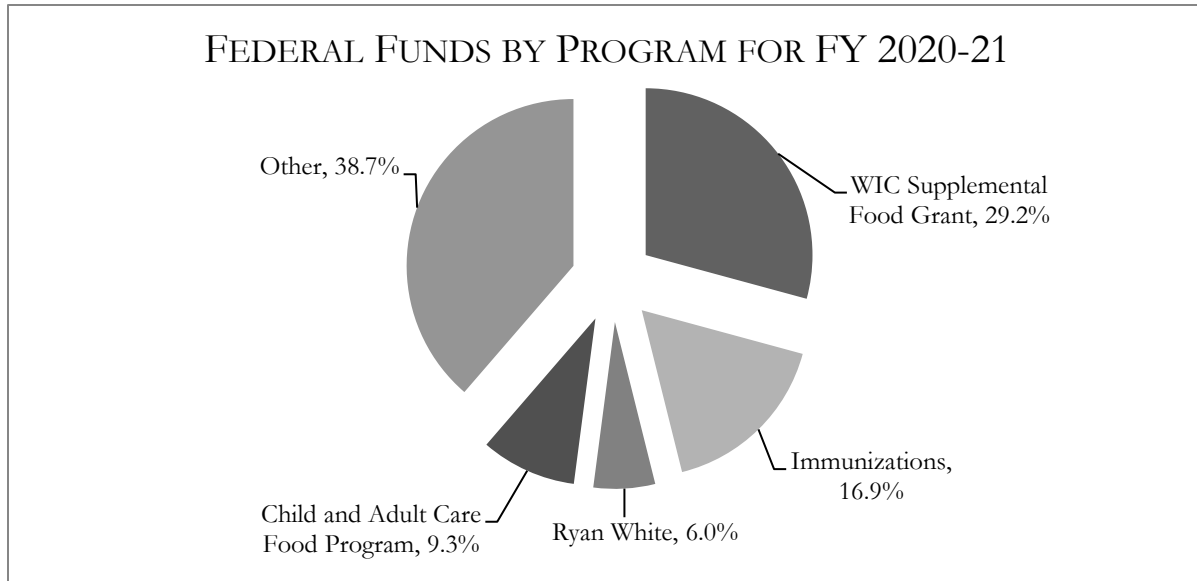
Funding for the Department for FY 2020-21 consists of 10.0 percent General Fund (including appropriations from the General Fund Exempt account and the CARE subfund), 31.5 percent cash funds, 8.2 percent reappropriated funds, and 50.3 percent federal funds. Some of the major factors driving the budget are reviewed below.

### FEDERAL FUNDS

Federal funds account for 50.3 percent of the Department's FY 2020-21 total appropriation. The Department receives federal funds from multiple federal agencies ranging from the Environmental Protection Agency to the U.S. Department of Health and Human Services. The majority of the federal funds in the Department's Long Bill are shown for informational purposes because the General Assembly does not have the authority to limit the amount of federal funds the Department may receive and expend. The following graphic illustrates the projected distribution of federal funds by division for FY 2020-21. Federal funds that were allocated through the executive branch, and were not included in the Long Bill, are not represented in the graph below.



The majority of federal funds (\$115.8 million of \$147.8 million) within the Prevention Services Division are for two federally funded nutrition programs: the Women, Infants, and Children Program (WIC) and the Adult and Child Food Care Program (CACFP). Within the Disease Control and Environmental Epidemiology Division, 62.4 percent of the federal funds are for the purchase of immunizations for local public health agencies, and 22.0 percent are for the Ryan White Comprehensive AIDS Resources Emergency Act. The Ryan White Act funds are used for primary care and support services for individuals living with HIV and AIDS who lack health insurance and the financial resources to pay for their care.



## REVENUE FROM AMENDMENT 35 TOBACCO TAX AND THE TOBACCO MASTER SETTLEMENT AGREEMENT

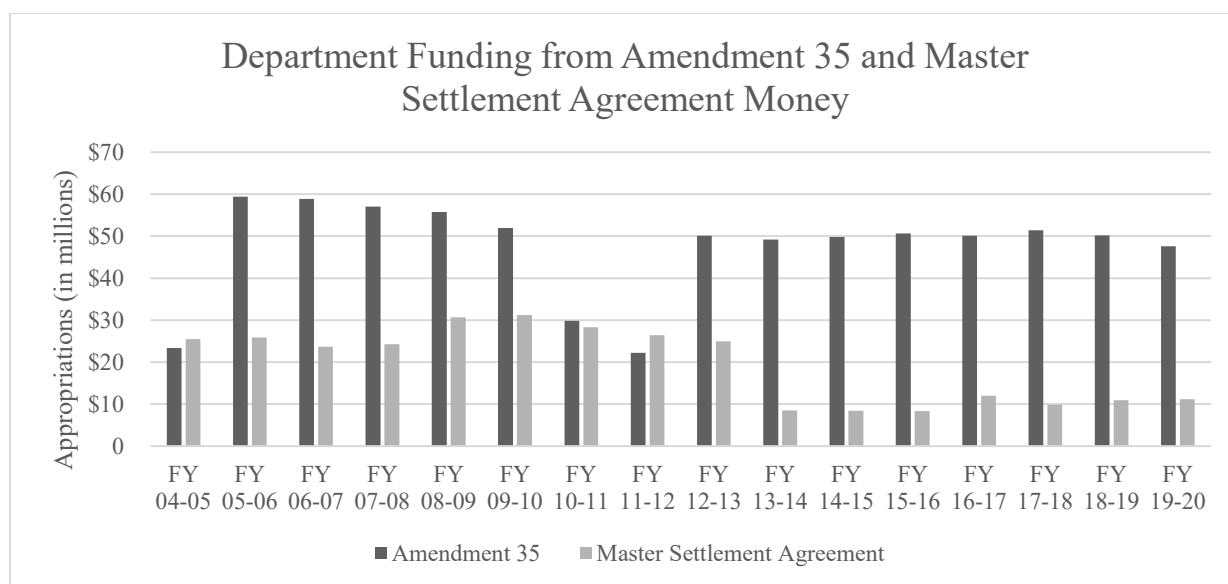
The Department receives revenue from the Amendment 35 tobacco tax and from the Tobacco Master Settlement Agreement. Amendment 35 was approved by voters in 2004 and imposed a \$0.64 tax on each pack of cigarettes sold in Colorado and related taxes on other tobacco products. Amendment 35 revenues are distributed based on a state constitutional formula. The following department programs receive Amendment 35 revenue:

- Tobacco Education, Prevention, and Cessation Program;
- Health Disparities Grant Program;
- Cardiovascular, Pulmonary, and Chronic Disease Grant Program; and
- Breast and Cervical Cancer Screening Program.

Revenue from the Tobacco Master Settlement Agreement (MSA) is the product of a 1998 legal settlement between tobacco manufacturers and the states who sued the tobacco manufacturers as a way to recover Medicaid and other health-related costs they incurred as a result of treating smoking related illnesses. Statutory formulas dictate the distribution of MSA revenue, and the Department receives revenue for:

- Drug assistance programs;
- Colorado AIDS and HIV Prevention Grant Program (CHAPP);
- Colorado Immunizations Program;
- Health Care Professional Loan Forgiveness Program (i.e. the Health Services Corps); and
- Dental Loan Repayment Program.

As these two revenue streams decrease over time, programs must reassess the amount of funds available for administrative overhead and the amount of funds available for grants. The following table summarizes the Department's funding from these two revenue sources from FY 2004-05 through FY 2019-20.

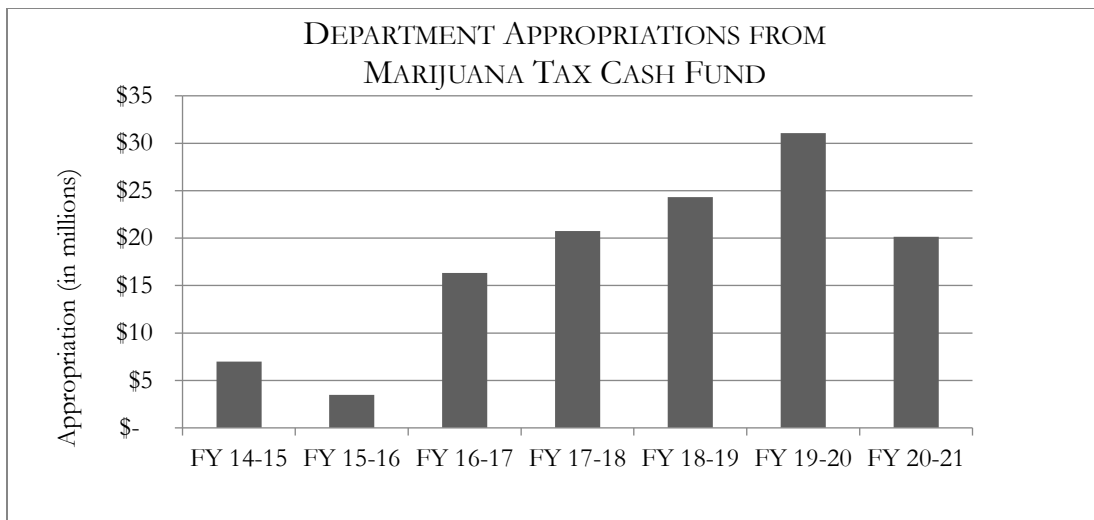


The following policy changes drove the significant revenue changes shown in the above table:

- Amendment 35 tobacco tax revenues were first generated for the second part of FY 2004-05.
- Between FY 2010-11 and FY 2012-13 the General Assembly declared a fiscal emergency and, on that basis, diverted Amendment 35 revenue from the Department to the Department of Health Care Policy and Financing to offset the need for General Fund for health related programs.
- Master Settlement Agreement funds fell starting in FY 2013-14 due to the transfer of the Nurse Home Visitor Program and the Tony Gramscas Youth Services Program to the Department of Human Services.
- House Bill 16-1408 (Cash Fund Allocations for Health-related Programs) included adjustments to the amount of Tobacco Master Settlement money received by department programs, including increases for the AIDS & HIV Prevention Grants, the Dental Loan Repayment Program, and the Immunization Program. Prior to H.B. 16-1408, Local Public Health Agencies received Tobacco Master Settlement money, but the General Assembly replaced this with Marijuana Tax Cash Fund dollars starting in FY 2016-17.

## PROGRAMS FUNDED WITH MARIJUANA TAX REVENUE

Voters legalized recreational marijuana in 2012 and subsequently approved new taxes on recreational marijuana. Based on this, the General Assembly adopted legislation authorizing the Department to use a portion of the new marijuana tax revenue for new and existing programs. Over time, the General Assembly has increased the number of programs and the amount of funding the Department receives from the Marijuana Tax Cash Fund. The following table summarizes appropriations of marijuana tax revenues to the Department for FY 2014-15 through FY 2020-21.



For more information about Marijuana Tax Cash Fund appropriations, see Appendix J.

## ENVIRONMENTAL REGULATORY STAFF

The Department is responsible for the regulation, inspection, and enforcement of numerous health and environment statutes designed to protect the health of Coloradans and the environment. In order to meet the growing regulatory workload, which is a result of both population growth and an increasing number of statutory and regulatory requirements, the Department has expanded regulatory resources. Due to the diversity of the Department's regulatory programs, the resource increases range from air emission inspectors to manufactured food inspectors to assisted living residence surveyors. The following table summarizes the recent resource increases.

SUMMARY OF REGULATORY FTE ADDITIONS TO THE DEPARTMENT SINCE FY 2012-13		
DIVISION, PROGRAM	FTE	FISCAL YEAR
Air Pollution Control Division		
Oil and Gas Inspectors	13.0	FY 2012-13
IR Camera and Title V Inspectors	13.0	FY 2015-16
Greenhouse Gas Emissions Regulation	6.9	FY 2019-20
Oil and Gas Permitting & Enforcement	7.7	FY 2020-21
Oil and Gas Inspectors	10.2	FY 2020-21
Water Quality Control Division		
Clean Water Sectors	16.0	FY 2013-14
Clean Water Sectors - Reclaimed water reuse	0.7	FY 2018-19
Construction Sector via HB 15-1249	5.0	FY 2016-17
Clean Water Program - Harmful algal blooms	0.6	FY 2018-19
Clean Water Program - Class B firefighting foam	0.7	FY 2019-20
Division of Environmental Health and Sustainability		
Manufactured Food Programs	2.0	FY 2015-16
Hazardous Materials and Solid Waste Division		
Solid Waste Program	6.2	FY 2012-13
Waste Tire Program	1.0	FY 2014-15
PFAS regulation via HB 20-1119	0.5	FY 2020-21
<b>TOTAL NEW FTE</b>	<b>83.5</b>	

## ENVIRONMENTAL DIVISIONS' PRIMARY CASH FUNDS

The four environmental divisions (APCD, WQCD, HMSWD, and DEHS) are primarily cash funded, with each division utilizing multiple cash funds to cover operational expenditures for their programs. In aggregate, 63.0 percent of these divisions' FY 2020-21 appropriation were cash funds. The revenue in these cash funds are derived primarily from program fees and are indicative of each division's workload and programmatic scope; available

revenue determines expenditures. The following table summarizes the three largest cash funds by appropriation for each of the four divisions.

FY 2020-21 CASH FUND APPROPRIATION SUMMARY FOR ENVIRONMENTAL DIVISIONS			
DIVISION	CASH FUND	C.R.S. CITATION	APPROPRIATION
Air Pollution Control Division	Stationary Sources Control Fund	25-7-114.7 (2)(b)(I)	\$14,624,023
	CDPHE HUTF AIR Subaccount	42-3-304 (18)(c)	6,909,845
	Ozone Protection Fund	25-7-135 (1)	163,144
Water Quality Control Division	Public and Private Utilities Sector Fund	25-8-502 (1.5)(a)(V)	2,035,227
	Water Quality Improvement Fund	25-8-608 (1.5)	1,585,000
	Construction Sector Fund	25-8-502 (1.5)(a)(II)	1,497,037
Hazardous Materials and Waste Management Division	End User Fund	30-20-1405 (1)	6,525,000
	Hazardous Substance Response Fund	25-16-104.6 (1)(a)	4,658,964
	Solid Waste Management Fund	30-20-118 (1)	3,953,906
Division of Environmental Health and Sustainability	Recycling Resources Economic Opportunity Fund	25-16.5-106.5 (1)(a)	5,919,177
	Food Protection Cash Fund	25-4-1608 (1)	1,053,358
	Wholesale Food and Storage Protection Cash Fund	25-5-426 (5)	741,631

## APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$599,298,241	\$54,757,339	\$194,092,921	\$47,469,142	\$302,978,839	1,361.6
SB 19-008	3,600,000	0	1,800,000	1,800,000	0	1.8
SB 19-065	57,242	0	57,242	0	0	0.8
SB 19-073	993,147	993,147	0	0	0	0.5
SB 19-096	265,589	265,589	0	0	0	3.1
SB 19-186	21,875	0	0	21,875	0	0.2
SB 19-188	17,004	17,004	0	0	0	0.1
SB 19-198	3,262,500	0	3,262,500	0	0	0.0
SB 19-218	114,007	0	114,007	0	0	0.2
SB 19-227	659,472	434,472	225,000	0	0	2.2
SB 19-228	2,000,000	0	2,000,000	0	0	0.9
SB 19-236	163,820	163,820	0	0	0	1.8
HB 19-1010	43,248	0	43,248	0	0	0.5
HB 19-1031	95,831	0	95,831	0	0	0.0
HB 19-1032	1,000,000	1,000,000	0	0	0	1.5
HB 19-1064	300,000	300,000	0	0	0	0.0
HB 19-1122	145,167	145,167	0	0	0	1.6
HB 19-1133	632,717	632,717	0	0	0	0.6
HB 19-1160	30,730	30,730	0	0	0	0.5
HB 19-1174	33,884	33,884	0	0	0	0.4
HB 19-1183	15,000	15,000	0	0	0	0.0
HB 19-1203	3,000,000	0	3,000,000	0	0	0.8
HB 19-1237	51,472	51,472	0	0	0	0.5
HB 19-1261	281,588	281,588	0	0	0	2.0
HB 19-1279	55,278	55,278	0	0	0	0.7
HB 20-1255	2,793,822	2,156,357	1,660,281	94,542	(1,117,358)	2.3
HB 20-1411	1,400,000	1,400,000	0	0	0	0.0
<b>TOTAL</b>	<b>\$620,331,634</b>	<b>\$62,733,564</b>	<b>\$206,351,030</b>	<b>\$49,385,559</b>	<b>\$301,861,481</b>	<b>1,384.6</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$620,331,634	\$62,733,564	\$206,351,030	\$49,385,559	\$301,861,481	1,384.6
Leased space expansion	2,757,569	0	1,695,281	1,062,288	0	0.0
Annualize prior year budget actions	2,034,255	(316,333)	580,995	372,696	1,396,897	(3.8)
Immunization funding for rural LPHAs	2,000,000	2,000,000	0	0	0	0.0
Stationary sources program resources	1,899,048	0	1,899,048	0	0	18.4
Rural LPHA funding	1,500,000	1,500,000	0	0	0	0.0
Immunization outreach	1,500,000	1,500,000	0	0	0	0.0

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Sustaining administrative services	559,864	0	0	559,864	0	4.3
Laboratory facility maintenance	301,593	0	0	301,593	0	0.0
Industrial hemp compliance	264,072	0	0	264,072	0	2.0
Mobile air monitoring vans	65,836	0	65,836	0	0	0.5
Tobacco revenue adjustment	(9,851,055)	(19,947)	(9,671,532)	(159,576)	0	0.0
Indirect cost assessment	(6,104,746)	0	(3,616,663)	132,086	(2,620,169)	0.0
Annualize prior year legislation	(5,922,273)	(4,378,255)	(2,939,611)	(31,588)	1,427,181	(1.1)
Centrally appropriated line items	(4,530,120)	650,741	(175,942)	(3,907,356)	(1,097,563)	0.0
Marijuana Education Campaign funding	(3,700,000)	0	(3,700,000)	0	0	(3.7)
Other budget balancing actions	(1,880,671)	(1,208,916)	(1,807,483)	1,135,728	0	0.0
Family planning reduction	(713,919)	(713,919)	0	0	0	0.0
Technical reductions to spending authority	(406,777)	0	(406,777)	0	0	(6.0)
Community provider rate adjustment	(94,651)	(69,012)	(18,284)	(7,355)	0	0.0
Other technical adjustments	(36,164)	(89,345)	(162,998)	216,179	0	0.0
<b>HB 20-1360</b>	<b>\$599,973,495</b>	<b>\$61,588,578</b>	<b>\$188,092,900</b>	<b>\$49,324,190</b>	<b>\$300,967,827</b>	<b>1,395.2</b>
SB 20-055	985,283	0	985,283	0	0	2.1
SB 20-057	4,151	0	0	1,954	2,197	0.0
SB 20-163	41,906	41,906	0	0	0	0.1
SB 20-204	10,660	10,660	0	0	0	0.0
HB 20-1119	43,836	0	43,836	0	0	0.5
HB 20-1215	24,815	0	24,815	0	0	0.0
HB 20-1374	(100,890)	0	(100,890)	0	0	(0.7)
HB 20-1379	(2,671,912)	(1,496,477)	(896,319)	(279,116)	0	0.0
HB 20-1384	(108,640)	(108,640)	0	0	0	(0.2)
HB 20-1397	(44,007)	(44,007)	0	0	0	0.0
HB 20-1398	(33,505)	(33,505)	0	0	0	0.0
<b>TOTAL</b>	<b>\$598,125,192</b>	<b>\$59,958,515</b>	<b>\$188,149,625</b>	<b>\$49,047,028</b>	<b>\$300,970,024</b>	<b>1,397.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$22,206,442)</b>	<b>(\$2,775,049)</b>	<b>(\$18,201,405)</b>	<b>(\$338,531)</b>	<b>(\$891,457)</b>	<b>12.4</b>
Percentage Change	(3.6%)	(4.4%)	(8.8%)	(0.7%)	(0.3%)	0.9%

<sup>1</sup> Includes appropriations from the CARE subfund of the General Fund for FY 2019-20 and FY 2020-21.

<sup>2</sup> Includes General Fund Exempt.

<sup>3</sup> Includes \$407,703 in FY 2019-20 and \$387,756 in FY 2020-21 that is not subject to the statutory restriction on state General Fund appropriations imposed by Section 24-75-201.1, C.R.S.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1255 modifies the FY 2019-20 appropriation to:

- Add \$1,660,281 cash funds from the Waste Tire Administration, Enforcement, Market Development, and Cleanup Fund for FY 2019-20 to allow the Department to expand its leased space footprint in its current location;
- Add \$538,999 General Fund and 1.9 FTE in the Disease Control and Environmental Epidemiology Division to support vaccination efforts in counties currently experiencing a hepatitis A outbreak, as well as travel costs;
- Add \$500,000 General Fund to subsidize the cost of testing groundwater samples for polyfluoroalkyl substances (PFAS) by individuals and municipal water treatment systems;
- Add \$94,542 reappropriated funds, transferred from the Department of Agriculture, and 0.4 FTE for the Laboratory Services division to ensure industrial hemp compliance with new federal rules; and
- Modify the fund sources for PERA direct distribution payments, which help to address PERA's unfunded liability, bill replacing federal funds determined to be uncollectible with General Fund appropriations.

H.B. 20-1411 modifies the FY 2019-20 appropriation to:

- Add \$250,000 from the CARE subfund in the General Fund for mental health first aid in-person and virtual training; and

- Add \$1,150,000 from the CARE subfund in the General Fund for opiate antagonist bulk purchase and school-based health centers.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

### SUMMARY OF FY 2020-21 BUDGET BALANCING APPROPRIATIONS:

The FY 2020-21 appropriation adjustments in this table include a reduction of \$7,416,575 total funds, comprised of a reduction of \$3,019,181 General Fund, a reduction of \$5,525,767 cash funds, and an increase of \$1,128,373 reappropriated fund, and 4.0 FTE for budget balancing purposes. These actions are described individually below.

**LEASED SPACE EXPANSION:** The appropriation includes an increase \$2,757,569 total funds, including \$1,695,281 cash funds and \$1,062,288 reappropriated funds, for FY 2020-21 to allow the Department to expand in its current location. The Department anticipates the Hazardous Materials and Waste Management Division will move into the newly renovated space.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$3,463,514	\$521,165	\$1,172,756	\$372,696	\$1,396,897	0.0
FY 19-20 Tribal liaison	276	276	0	0	0	0.0
FY 19-20 Local public electronic health records	(837,774)	(837,774)	0	0	0	(3.5)
FY 16-17 Marijuana health research grants	(558,840)	0	(558,840)	0	0	(0.3)
FY 19-20 Assisted living residence	(32,921)	0	(32,921)	0	0	0.0
<b>TOTAL</b>	<b>\$2,034,255</b>	<b>(\$316,333)</b>	<b>\$580,995</b>	<b>\$372,696</b>	<b>\$1,396,897</b>	<b>(3.8)</b>

**IMMUNIZATION FUNDING FOR RURAL LPHAS:** The appropriation includes \$2.0 million from the CARE subfund in the General Fund for FY 2020-21 for immunization funding for rural local public health agencies (LPHAs).

**STATIONARY SOURCES PROGRAM RESOURCES:** The appropriation includes an increase of \$1,899,048 cash funds and 18.4 FTE for FY 2020-21 to expand the Air Pollution Control Division's capacity for oil and gas compliance, enforcement, permitting, and air quality monitoring. The U.S. Environmental Protection Agency reclassified the Denver Metro/North Front Range air quality monitoring region to "serious non-attainment" for 2008 ozone standards.

**RURAL LPHA FUNDING:** The appropriations includes \$1.5 million from the CARE subfund in the General Fund for FY 2020-21 for funding for rural local public health agencies.

**IMMUNIZATION OUTREACH:** The appropriation includes an increase of \$1.5 million General Fund to create a grant program available to local public health agencies (LPHAs). The grant program will make funds available for LPHAs to use various strategies to increase the measles, mumps, and rubella vaccination rates among the State's kindergarten population.

**SUSTAINING ADMINISTRATIVE SERVICES:** The appropriation includes an increase \$559,864 reappropriated funds and 4.3 FTE for FY 2020-21. These positions are currently funded by the Preventative Health and Health Services Block Grant from the Center for Disease Control, but will be funded by indirect cost recoveries from within the Department.

**LABORATORY FACILITY MAINTENANCE:** The appropriation includes an increase of \$301,593 reappropriated funds from departmental indirect cost recoveries for FY 2020-21 to complete repairs required to keep the State Laboratory building and equipment in good repair.

**INDUSTRIAL HEMP COMPLIANCE:** The appropriation includes an increase of \$264,072 reappropriated funds and 2.0 FTE for adjustments related the Department of Agriculture's industrial hemp compliance efforts. Please see that department's section of the Narrative for further information.

**MOBILE AIR MONITORING VANS:** The appropriation includes an increase of \$65,836 cash funds and 0.5 FTE for FY 2020-21 to add a toxicologist in the Disease Control and Environmental Epidemiology Division. The toxicologist will study the impact of oil and gas on public health and assist in the analysis of the data collected by the monitoring van.

**TOBACCO REVENUE ADJUSTMENTS:** The appropriation includes a decrease of \$9,851,055, including \$19,947 General Fund, for adjustments related to the Tobacco Master Settlement Agreement and Amendment 35 allocations.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the Department's indirect cost assessment.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 19-198 Continued management of waste tires	\$3,037,500	\$0	\$3,037,500	\$0	\$0	0.0
SB 18-200 PERA	672,510	99,964	263,812	64,300	244,434	0.0
SB 19-227 Harm reduction substance use disorders	599,773	(125,227)	725,000	0	0	0.1
HB 19-1133 Child abuse response and evaluation network	279,059	279,059	0	0	0	(0.2)
SB 19-195 Child and youth behavioral system enhancements	108,840	108,840	0	0	0	0.2
HB 18-1006 Infant newborn screening	100,344	0	100,344	0	0	0.0
HB 19-1237 Licensing behavioral health entities	77,361	11,972	0	0	65,389	1.0
SB 19-186 Expand agricultural chemical management program protect surface water	33,654	0	0	33,654	0	0.4
HB 19-1261 Climate action plan to reduce pollution	33,301	33,301	0	0	0	0.5
HB 19-1010 Freestanding emergency departments licensure	29,155	0	29,155	0	0	0.1
HB 19-1203 School nurse grant program	9,947	0	9,947	0	0	0.2
SB 19-096 Collect long-term climate change data	6,249	6,249	0	0	0	0.3
SB 19-236 Sunset public utilities commission	4,459	4,459	0	0	0	0.2
SB 19-218 Sunset medical marijuana program	889	0	889	0	0	0.0
HB 19-1122 Maternal mortality review committee	610	610	0	0	0	0.0
HB 19-1032 Comprehensive human sexuality education	0	0	0	0	0	0.0
HB 19-1203 School nurse grant program	(2,939,835)	0	(2,939,835)	0	0	(0.2)
HB 20-1255 Supplemental bill	(2,793,822)	(2,156,357)	(1,660,281)	(94,542)	1,117,358	0.0
SB 19-228 Substance use disorders prevention measures	(2,000,000)	0	(2,000,000)	0	0	(0.9)
HB 20-1411 COVID-19 funds allocation	(1,400,000)	(1,400,000)	0	0	0	0.0



ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
for behavioral health						
SB 19-073 Statewide system of advance medical directives	(810,581)	(810,581)	0	0	0	(0.3)
HB 17-1306 Test lead in public schools' drinking water	(396,385)	0	(396,385)	0	0	(1.2)
HB 19-1064 Victim notification criminal proceedings	(300,000)	(300,000)	0	0	0	0.0
HB 19-1031 Child patient more than one primary caregiver	(95,831)	0	(95,831)	0	0	0.0
HB 19-1279 Protect public health firefighter safety regulation PFAS	(55,278)	(55,278)	0	0	0	(0.7)
SB 19-008 Substance use disorder treatment in criminal justice system	(35,000)	0	0	(35,000)	0	0.2
HB 19-1174 Out-of-network health care services	(23,385)	(23,385)	0	0	0	(0.2)
HB 19-1160 Mental health facility pilot program	(19,877)	(19,877)	0	0	0	(0.4)
SB 19-188 Family medical leave insurance program	(17,004)	(17,004)	0	0	0	(0.1)
HB 19-1183 Automated external defibrillators in public places	(15,000)	(15,000)	0	0	0	0.0
SB 19-065 Peer assistance EMS provider	(13,926)	0	(13,926)	0	0	(0.1)
<b>TOTAL</b>	<b>(\$5,922,273)</b>	<b>(\$4,378,255)</b>	<b>(\$2,939,611)</b>	<b>(\$31,588)</b>	<b>\$1,427,181</b>	<b>(1.1)</b>

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items:

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Health, life, and dental	\$1,588,435	\$585,643	\$331,222	\$116,536	\$555,034	0.0
Salary survey	249,694	93,089	36,185	19,962	100,458	0.0
AED	189,024	111,257	(9,628)	10,340	77,055	0.0
SAED	189,024	111,257	(9,628)	10,340	77,055	0.0
OIT Colorado Digital Services	104,578	12,734	11,389	71,843	8,612	0.0
Leased space	100,557	0	0	100,557	0	0.0
Short-term disability	7,774	3,921	198	502	3,153	0.0
Capitol Complex leased space	3,181	0	0	3,181	0	0.0
Shift differential	328	621	(351)	(194)	252	0.0
Paid family leave	0	0	0	0	0	0.0
Salary survey reduction	(3,783,348)	(616,399)	(1,269,019)	(395,279)	(1,502,651)	0.0
Payments to OIT	(1,276,402)	310,495	840,029	(3,167,977)	741,051	0.0
HLD decrease in lieu of personal services base reduction for budget balancing	(1,027,334)	(1,027,334)	0	0	0	0.0
CORE	(179,939)	0	0	(179,939)	0	0.0
Legal services	(174,339)	(14,070)	0	(160,269)	0	0.0
PERA Direct Distribution	(143,964)	1,079,527	(86,213)	(19,920)	(1,117,358)	0.0
Payment to risk management / property funds	(124,426)	0	0	(124,426)	0	0.0
OIT Budget request package	(123,922)	0	0	(123,922)	0	0.0
DPA Annual fleet vehicle request	(80,350)	0	(20,126)	(20,000)	(40,224)	0.0
Workers' compensation	(32,830)	0	0	(32,830)	0	0.0
ALJ	(15,861)	0	0	(15,861)	0	0.0
<b>TOTAL</b>	<b>(\$4,530,120)</b>	<b>\$650,741</b>	<b>(\$175,942)</b>	<b>(\$3,907,356)</b>	<b>(\$1,097,563)</b>	<b>0.0</b>

**MARIJUANA EDUCATION CAMPAIGN FUNDING:** The appropriation includes a \$3,700,000 cash fund decrease to the Marijuana Education Campaign. This is a budget balancing action.

**OTHER BUDGET BALANCING ACTIONS:** The appropriation includes a reduction of \$1,880,671 total funds, including \$1,208,916 General Fund, as a result of other budget balancing actions.

OTHER BUDGET BALANCING ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
MTCF refinance	\$0	\$0	(\$1,135,728)	\$1,135,728	\$0	0.0
Primary Care Office Transfer	(511,038)	0	(511,038)	0	0	0.0
Comprehensive Sex Ed Reduction	(492,999)	(492,999)	0	0	0	0.0
CARE Network Reduction	(300,000)	(300,000)	0	0	0	0.0
CCVGP Reduction	(176,114)	(176,114)	0	0	0	0.0
Dental Load Repayment Transfer	(160,717)	0	(160,717)	0	0	0.0
HIE Reduction	(77,516)	(77,516)	0	0	0	0.0
Child Fatality Prevention Reduction	(58,269)	(58,269)	0	0	0	0.0
Suicide Prevention Reduction	(56,468)	(56,468)	0	0	0	0.0
TB Travel Operating Reduction	(47,550)	(47,550)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$1,880,671)</b>	<b>(\$1,208,916)</b>	<b>(\$1,807,483)</b>	<b>\$1,135,728</b>	<b>\$0</b>	<b>0.0</b>

**FAMILY PLANNING REDUCTION:** The appropriation includes a decrease of \$713,919 General Fund to the Family Planning Program. The program provides family planning consulting, contraception, and testing to approximately 55,000 people annually, this reduction in anticipated to affect 8,250 clients. This is a budget balancing action.

**TECHNICAL REDUCTIONS TO SPENDING AUTHORITY:** The appropriation includes a reduction of \$406,777 cash funds and 6.0 FTE for FY 2020-21. The Department identified reversions across several divisions and this decrease will align spending authority with anticipated expenditures.

**COMMUNITY PROVIDER RATE:** The appropriation includes a decrease of \$94,651 total funds for the 1.0 percent community provider rate decrease. This is a budget balancing action.

**OTHER TECHNICAL ADJUSTMENTS:** The appropriation includes four technical changes, as detailed in the table below:

OTHER TECHNICAL ADJUSTMENTS					
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FTE
Transfer to DOL for CERCLA related costs	\$37,993	\$0	\$37,993	\$0	0.0
Building maintenance and repair escalator	15,188	0	0	15,188	0.0
Fund split correction	0	0	(200,991)	200,991	0.0
Depreciation-lease equivalent payments	(89,345)	(89,345)	0	0	0.0
<b>TOTAL</b>	<b>(\$36,164)</b>	<b>(\$89,345)</b>	<b>(\$162,998)</b>	<b>\$216,179</b>	<b>0.0</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# DEPARTMENT OF PUBLIC SAFETY

The Department consists of six divisions: the Executive Director's Office, Colorado State Patrol, Division of Fire Prevention and Control, Division of Criminal Justice, Colorado Bureau of Investigation, and Division of Homeland Security and Emergency Management.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	\$124,687,644	\$184,815,705	\$171,309,553	\$152,018,983
Cash Funds	200,795,010	217,279,782	239,452,903	235,478,753
Reappropriated Funds	40,845,123	43,455,354	52,591,767	46,820,156
Federal Funds	56,766,887	69,838,616	70,080,226	69,917,976
<b>TOTAL FUNDS</b>	<b>\$423,094,664</b>	<b>\$515,389,457</b>	<b>\$533,434,449</b>	<b>\$504,235,868</b>
Full Time Equiv. Staff	1,802.5	1,854.3	1,908.1	1,905.8

## GENERAL FACTORS DRIVING THE BUDGET

Funding for the Department of Public Safety in FY 2020-21 consists of 30.1 percent General Fund, 46.7 percent cash funds, 9.3 percent reappropriated funds, and 13.9 percent federal funds. Some of the major factors driving the Department's budget are discussed below.

Five line items account for nearly half of the Department's General Fund and cash fund appropriations for FY 2020-21:

- 1 Compensation for Colorado State Patrol sergeants, troopers, and technicians
- 2 Community corrections placements
- 3 Health, life, and dental (HLD) benefits
- 4 Wildland fire management services
- 5 Personal services for the Colorado Bureau of Investigation's (CBI) laboratory and investigative services

The following sections provide background information for these line items, with the exception of HLD benefits, which are a statewide common policy.

### COLORADO STATE PATROL: TROOPER PAY AND HIGHWAY USERS TAX FUND

The biggest driver of the State Patrol budget is compensation for over 650 sergeants, technicians, and troopers. The appropriation for FY 2020-21 is \$76.8 million. This comprises 43.6 percent of the Colorado State Patrol budget, or 15.2 percent of the overall budget for the Department of Public Safety. Salaries for Colorado State Troopers must be at least 99.0 percent of the actual average salary paid by the top three law enforcement agencies in Colorado with more than 100 commissioned officers (Section 24-50-104 (1)(III)(A), C.R.S.).

The primary source of funding for the State Patrol is the Highway Users Tax Fund (HUTF). HUTF revenues include gas and special fuel taxes, driver's license fees, motor vehicle fees, license plate fees, and passenger-mile taxes. HUTF revenues must be used for the construction, maintenance, and supervision of state public highways, and associated administrative costs (State Constitution, Section 18 Article X).

The State Patrol gets a share of HUTF revenues before they are used for the construction and maintenance of highways. This distribution is taken "off-the-top," before the statutory allocation of HUTF to counties, cities, and the State Highway Fund. However, statute limits the growth and size of the off-the-top appropriation. It cannot grow by more than 6.0 percent from the prior year's appropriation, and may not exceed 23.0 percent of the total prior fiscal

year HUTF revenue (Section 43-4-201 (3)(a)(I)(A), C.R.S.). For more information about the HUTF off-the-top appropriation, see Appendix F.

## COMMUNITY CORRECTIONS

The biggest driver of the budget for the Division of Criminal Justice (DCJ) is the cost of community corrections programs. The total FY 2020-21 appropriation for these programs is about \$78.3 million. Of this amount, \$73.0 million comes from the General Fund, which accounts for 48.0 percent of the Department's total General Fund appropriation. DCJ allocates most of this appropriation through contracts with community corrections providers, such as local governments, private entities, and non-profit organizations. Allocations to providers are based on the services they offer, the per-diem rate set by the General Assembly, and the number of people placed in their programs.

The size of the appropriation is largely influenced by the number of placements in the system. The number of placements is influenced by factors such as: (1) the number of offenders sentenced directly to community corrections instead of prison, (2) the number of inmates in the Department of Corrections (DOC) who are completing their sentence, and (3) the number of DOC inmates who are eligible for parole.

## WILDLAND FIRE MANAGEMENT SERVICES

**This line item accounts for almost two-thirds—or \$19.2 million—of the total FY 2020-21 appropriation for the Division of Fire Prevention and Control.** Long Bill appropriations for this line item come primarily from the General Fund and support both personal services and operating expenses.

This line item also receives funds from continuously appropriated cash funds that are not reflected in the budget. From FY 2016-17 to 2018-19, this line received an additional \$32.8 million, \$56.7 million, and \$49.3 million, respectively. Sources of continuously appropriated funding include:

- Emergency Fire Fund (Section 24-33.5-1220 (2)(a), C.R.S.)
- Wildland Fire Equipment Repair Cash Fund (Section 24-33.5-1220 (3), C.R.S.)
- Wildland Fire Cost Recovery Cash Fund (Section 24-33.5-1220 (4), C.R.S.)
- Wildfire Emergency Response Fund (Section 24-33.5-1226, C.R.S.)
- Colorado Firefighting Air Corps Fund (Section 24-33.5-1228 (3)(a), C.R.S.)

## LABORATORY AND INVESTIGATIVE SERVICES

The biggest driver of the Colorado Bureau of Investigation (CBI) budget is personal services for laboratory and investigative services (159.9 FTE). This appropriation accounts for over a third of the CBI's total General Fund and cash fund appropriations. Since 2014, the CBI has been required to operate a toxicology laboratory and assist local law enforcement agencies with testing for alcohol or drugs (Section 24-33.5-428, C.R.S.). Increased testing requirements led the General Assembly to authorize an expansion of the Pueblo and Denver/Arvada labs. Most recently, the CBI expanded its laboratory services to provide toxicology testing at no cost to state and local law enforcement agencies.

## ADDITIONAL INFORMATION

Nearly 100 other line items account for the remaining half of the Department's General Fund and cash fund appropriations. Many of the larger line items are housed in the State Patrol, including: operating expenses, Ports of Entry, the communications program, and vehicle lease payments. Outside of the State Patrol, significant line items include: DCJ administrative services, program administration for the Office of Emergency Management, and employee benefits appropriated to the Executive Director's Office.

# APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

DEPARTMENT OF PUBLIC SAFETY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$524,032,030	\$165,477,267	\$236,387,781	\$52,086,756	\$70,080,226	1,894.5
SB 19-008	40,300	40,300	0	0	0	0.0
SB 19-020	350,000	350,000	0	0	0	0.0
SB 19-040	174,183	174,183	0	0	0	0.8
SB 19-061	40,291	40,291	0	0	0	0.5
SB 19-179	1,150,000	0	1,150,000	0	0	0.0
HB 19-1073	979,947	0	500,000	479,947	0	0.7
HB 19-1090	18,772	0	0	18,772	0	0.0
HB 19-1230	4,576	0	0	4,576	0	0.0
HB 19-1242	128,188	0	128,188	0	0	0.7
HB 19-1275	443,847	0	443,847	0	0	6.6
HB 19-1297	26,107	26,107	0	0	0	0.3
HB 19-1327	1,716	0	0	1,716	0	0.0
HB 20-1256	6,044,492	5,201,405	843,087	0	0	4.0
<b>TOTAL</b>	<b>\$533,434,449</b>	<b>\$171,309,553</b>	<b>\$239,452,903</b>	<b>\$52,591,767</b>	<b>\$70,080,226</b>	<b>1,908.1</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$533,434,449	\$171,309,553	\$239,452,903	\$52,591,767	\$70,080,226	1,908.1
Extend HB 19-1073 appropriation	500,000	0	500,000	0	0	0.0
Additional resources for school safety	387,839	0	387,839	0	0	4.0
Fire inspector overtime compensation	141,523	0	113,238	28,285	0	0.0
Criminal justice training fund	120,000	0	120,000	0	0	0.0
State recovery section	63,410	63,410	0	0	0	1.0
Technical adjustments	0	(1,228,913)	215,068	1,033,032	(19,187)	0.3
Refinance School Safety Resource Center	0	(558,222)	558,222	0	0	0.0
Adjust funding 2013 flood recovery	(9,175,236)	(7,342,277)	(1,832,959)	0	0	0.0
Annualize prior year budget actions	(6,527,677)	(5,170,289)	(1,357,388)	0	0	(2.0)
Indirect cost assessment	(3,136,113)	(4,512,343)	(5,174,755)	6,538,045	12,940	0.0
Centrally appropriated line items	(2,821,303)	4,214,047	4,702,528	(11,561,102)	(176,776)	0.0
Adjust funding for community corrections placements	(1,989,330)	(1,989,330)	0	0	0	0.0
Annualize prior year legislation	(1,828,964)	(113,743)	(1,328,169)	(407,825)	20,773	(1.1)
Community provider rate adjustment	(834,500)	(808,344)	0	(26,156)	0	0.0
Reduce unused State Patrol spending authority	(800,000)	0	0	(800,000)	0	0.0
Adjust funding for completion of fire system	(573,404)	(573,404)	0	0	0	(0.5)
Adjust funds for civil asset forfeiture reforms grant	(495,703)	0	(495,703)	0	0	0.0
Extend CBI vacancy savings	(250,000)	(250,000)	0	0	0	(4.0)
Reduce unused spending authority in facility inspection	(144,336)	0	0	(144,336)	0	0.0
Reduce unused leased space spending authority	(100,000)	0	0	(100,000)	0	0.0
Reduce motor vehicle recyclers spending authority	(70,322)	0	(70,322)	0	0	(1.0)
Reduce administrative services spending authority	(33,301)	0	(33,301)	0	0	0.0
S.B. 17-096 technical correction	(16,224)	0	(16,224)	0	0	(0.3)
Medical marijuana database funding efficiency	(16,000)	0	0	(16,000)	0	0.0
Remove unused emergency management spending authority	(10,988)	0	(10,988)	0	0	0.0
<b>HB 20-1360</b>	<b>\$505,823,820</b>	<b>\$153,040,145</b>	<b>\$235,729,989</b>	<b>\$47,135,710</b>	<b>\$69,917,976</b>	<b>1,904.5</b>
SB 20-057	26,749	0	22,598	4,151	0	0.0
SB 20-197	55,620	0	55,620	0	0	0.3
SB 20-217	617,478	0	617,478	0	0	1.0

DEPARTMENT OF PUBLIC SAFETY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 20-218	1,552,558	0	1,552,558	0	0	0.0
HB 20-1153	18,996	0	18,996	0	0	0.0
HB 20-1379	(3,859,353)	(1,021,162)	(2,518,486)	(319,705)	0	0.0
<b>TOTAL</b>	<b>\$504,235,868</b>	<b>\$152,018,983</b>	<b>\$235,478,753</b>	<b>\$46,820,156</b>	<b>\$69,917,976</b>	<b>1,905.8</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$29,198,581)</b>	<b>(\$19,290,570)</b>	<b>(\$3,974,150)</b>	<b>(\$5,771,611)</b>	<b>(\$162,250)</b>	<b>(2.3)</b>
Percentage Change	(5.5%)	(11.3%)	(1.7%)	(11.0%)	(0.2%)	(0.1%)

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1256 modifies the FY 2019-20 appropriation in the following ways:

- Adds \$5.0 million General Fund for adjustments to community corrections placements;
- Adds \$610,827 total funds to retroactively compensate fire inspectors for overtime;
- Adds \$327,549 cash funds to the School Safety Resource Center for 4.0 FTE; and
- Adds \$106,116 General Fund for PERA Direct Distribution.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

### SUMMARY OF BUDGET BALANCING ACTIONS

The FY 2020-21 appropriations for the Department of Public Safety were reduced by \$11,206,238 General Fund for budget balancing purposes. Of that amount, \$558,222 was offset by an equal increase of cash funds, bringing the total reduction to \$10,648,016. These actions are described individually below.

**EXTEND HB 19-1073 APPROPRIATION:** The appropriation includes \$500,000 cash funds from the Criminal Justice Information Sharing Grant Program Fund to allow local law enforcement agencies to apply for and receive grant funding.

**ADDITIONAL RESOURCES FOR SCHOOL SAFETY:** The appropriation includes an increase of \$387,839 cash funds and 4.0 FTE for School Safety Resource Center field staff in the northeast, southeast, northwest, and southwest regions of the state.

**FIRE INSPECTOR OVERTIME COMPENSATION:** The appropriation includes an increase of \$141,523 total funds to compensate fire inspectors for overtime work.

**CRIMINAL JUSTICE TRAINING FUND:** The appropriation includes an increase of \$120,000 cash funds from the Criminal Justice Training Fund to cover the costs of increased trainings offered by the Division of Criminal Justice.

**STATE RECOVERY SECTION:** The appropriation includes an increase of \$63,410 General Fund and 1.0 FTE for the State Recovery Section in the Office of Emergency Management.

**TECHNICAL ADJUSTMENTS:** The appropriation includes technical adjustments that result in a net-zero effect in total funds.

**REFINANCE SCHOOL SAFETY RESOURCE CENTER:** The appropriation includes a net-zero refinancing of the School Safety Resource Center, replacing \$558,222 General Fund appropriations with cash funds from the School Safety Resource Center Cash Fund for budget balancing purposes.

**ADJUST FUNDING 2013 FLOOD RECOVERY:** The appropriation includes a reduction of \$9,175,236 total funds, including \$7,342,277 General Fund, to reflect anticipated spending needs in FY 2020-21. Of this total reduction, \$5.5 million General Fund was for budget balancing purposes.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 State Patrol civilian and uniform staff	\$27,162	\$0	\$27,162	\$0	\$0	2.0
FY 19-20 Additional resources Fire and Life	317	0	317	0	0	0.0
FY 19-20 Salary survey	0	0	0	0	0	0.0
FY 19-20 Criminal history record	0	0	0	0	0	0.0
FY 19-20 Community corrections caseload adjustment	(5,000,000)	(5,000,000)	0	0	0	0.0
FY 19-20 Overtime for fire inspectors	(610,827)	(95,289)	(515,538)	0	0	0.0
FY 19-20 Marijuana Tax Cash Fund for toxicology	(520,000)	0	(520,000)	0	0	0.0
FY 19-20 Additional resources school safety	(327,549)	0	(327,549)	0	0	(4.0)
FY 19-20 Performance based contracting preparation	(75,000)	(75,000)	0	0	0	0.0
FY 19-20 E470 spending authority	(21,780)	0	(21,780)	0	0	0.0
<b>TOTAL</b>	<b>(\$6,527,677)</b>	<b>(\$5,170,289)</b>	<b>(\$1,357,388)</b>	<b>\$0</b>	<b>\$0</b>	<b>(2.0)</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a decrease of \$3,136,113 total funds in the Department's indirect cost assessment.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to the following centrally appropriated line items: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; PERA direct distributions; shift differential; workers' compensation; legal services; administrative law judges; payment to risk management and property funds; vehicle lease payments; Capitol complex leased space; payments to the Governor's Office of Information Technology (OIT); and CORE operations. The appropriation includes a Health, Life, and Dental (HLD) reduction of \$2,064,868 in lieu of a General Fund, personal services base reduction. The HLD adjustment is a budget balancing action.

**ADJUST FUNDING FOR COMMUNITY CORRECTIONS PLACEMENTS:** The appropriation includes a reduction of \$1,989,330 General Fund for community corrections placements to reflect fewer placements in the system as a result of the COVID-19 disaster emergency. This is a budget balancing action.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$827,618	\$198,587	\$539,672	\$68,586	\$20,773	0.0
SB 19-040 Establish Colorado Fire Commission	73,371	73,371	0	0	0	0.2
HB 19-1297 Jail Capacity Data Collection	5,800	5,800	0	0	0	0.2
HB 19-1230 Marijuana Hospitality Establishment	3,536	0	0	3,536	0	0.0
SB 19-179 Enhance School Safety	(1,150,000)	0	(1,150,000)	0	0	(0.3)
HB 19-1073 Law Enforcement Info Sharing	(979,947)	0	(500,000)	(479,947)	0	(0.7)
SB 19-020 Wildfire Airspace Control System	(350,000)	(350,000)	0	0	0	0.0
HB 19-1242 Board of Pharmacy	(111,626)	0	(111,626)	0	0	(0.6)

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1275 Increased Eligibility Criminal Records	(106,215)	0	(106,215)	0	0	0.0
SB 19-008 Substance Use Disorder Treatment	(40,300)	(40,300)	0	0	0	0.0
SB 19-061 Breathing Apparatus Testing	(1,201)	(1,201)	0	0	0	0.1
<b>TOTAL</b>	<b>(\$1,828,964)</b>	<b>(\$113,743)</b>	<b>(\$1,328,169)</b>	<b>(\$407,825)</b>	<b>\$20,773</b>	<b>(1.1)</b>

**COMMUNITY PROVIDER RATE ADJUSTMENT:** The appropriation includes a decrease of \$834,500 total funds for the one percent common policy reduction for most community providers.

**REDUCE UNUSED STATE PATROL SPENDING AUTHORITY:** The appropriation includes a decrease of \$800,000 reappropriated funds spending authority to accurately reflect expenditures for traffic control in construction and maintenance zones.

**ADJUST FUNDING FOR COMPLETION OF FIRE SYSTEM:** The appropriation includes a reduction of \$573,404 General Fund and 0.5 FTE to reflect the completion of the Colorado Wildland Fire Prediction and Decision Support System.

**ADJUST FUNDS FOR CIVIL ASSET FORFEITURE REFORMS GRANT:** The appropriation includes a reduction of \$495,703 from the Marijuana Cash Tax Fund to reflect anticipated demand for the grant.

**EXTEND CBI VACANCY SAVINGS:** The appropriation includes a total reduction of \$250,000 General Fund in two CBI line items for budget balancing purposes, including: CCIC Program Support Personal Services and Biometric Records and Identification Unit Personal Services

**REDUCE UNUSED SPENDING AUTHORITY IN FACILITY INSPECTION:** The appropriation includes a reduction of \$144,336 reappropriated funds to align spending authority with actual expenditures for the Interagency Agreement between the Division of Fire Prevention and Control and the Department of Public Health and Environment.

**REDUCE UNUSED LEASED SPACE SPENDING AUTHORITY:** The appropriation includes a total spending authority reduction of \$100,000 reappropriated funds to adjust the EDO leased space line item to align with actual expenditures.

**REDUCE MOTOR VEHICLE RECYCLERS SPENDING AUTHORITY:** The appropriation includes a reduction of \$70,322 cash funds and 1.0 FTE. The appropriation is unnecessary because the CBI does not collect revenue to support it.

**REDUCE ADMINISTRATIVE SERVICES SPENDING AUTHORITY:** The appropriation includes a reduction of \$33,301 cash funds spending authority to adjust the line item to align with actual expenditures.

**SB 17-096 TECHNICAL CORRECTION:** The appropriation includes a reduction of \$16,224 cash funds spending authority and 0.3 FTE for the repeal of the Reserve Peace Officer Academy Grant Program.

**MEDICAL MARIJUANA DATABASE FUNDING EFFICIENCY:** The appropriation includes a reduction of \$16,000 reappropriated funds to reflected unused spending authority for the administration of a medical marijuana database.

**REMOVE UNUSED EMERGENCY MANAGEMENT SPENDING AUTHORITY:** The appropriation includes a reduction of \$10,988 cash funds spending authority to eliminate appropriations from the DHSEM Office of Emergency Management's Preparedness Grants and Training Cash Fund.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.



# DEPARTMENT OF REGULATORY AGENCIES

The Department of Regulatory Agencies (DORA) consists of the following eleven divisions:

- The **Executive Director's Office** provides administrative and technical support for the Department's divisions and programs, including functions associated with accounting, purchasing, budgeting, communications, legislative services, and human resources. It also includes the Colorado Office of Policy, Research, and Regulatory Reform.
- The **Division of Banking** regulates state-chartered commercial banks, trust companies, money transmitters, and national banks and interstate banks that maintain public deposit accounts in Colorado.
- The **Division of Civil Rights** enforces Colorado's anti-discrimination laws in the areas of employment, housing, and public accommodations.
- The **Office of Consumer Counsel** represents the public interest and the specific interests of residential, small business, and agricultural consumers in rate and rulemaking cases before the Public Utilities Commission, federal agencies, and the courts.
- The **Division of Financial Services** examines and supervises state-chartered credit unions and state-chartered savings and loan associations, enforces the Savings and Loan Public Deposit Protection Act, and regulates certain financial activities of life care institutions.
- The **Division of Insurance** regulates companies and agents providing health insurance, property and liability insurance (homeowners and automobile), life insurance, and title insurance.
- The **Public Utilities Commission** regulates investor-owned electric, natural gas, telecommunications, private water utilities, and motor vehicle carriers for hire.
- The **Division of Real Estate** licenses real estate agents, appraisers, and mortgage loan originators and registers mortgage companies and homeowners associations.
- The **Division of Professions and Occupations** regulates licensees in over 30 professions and occupations to ensure a basic level of competence to protect the public welfare.
- The **Division of Securities** monitors the conduct of broker-dealers and sales representatives, investigates citizen complaints, and investigates indicators of investment fraud.
- The **Division of Conservation**, in conjunction with the Conservation Easement Oversight Commission, certifies conservation easement holders and conservation easement tax credit certificates.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	\$1,844,627	\$2,066,931	\$2,324,519	\$1,940,640
Cash Funds	91,673,404	91,205,734	109,697,995	109,836,123
Reappropriated Funds	5,060,383	5,211,298	5,482,149	5,533,354
Federal Funds	1,107,143	1,249,820	1,323,269	1,442,682
<b>TOTAL FUNDS</b>	<b>\$99,685,557</b>	<b>\$99,733,783</b>	<b>\$118,827,932</b>	<b>\$118,752,799</b>
Full Time Equiv. Staff	573.1	574.7	591.8	600.8

## GENERAL FACTORS DRIVING THE BUDGET

The Department's FY 2020-21 budget consists of 1.6 percent General Fund, 92.5 percent cash funds, 4.7 percent reappropriated funds, and 1.2 percent federal funds. Some of the major factors driving the Department's budget are discussed below.

## LEGAL SERVICES

The Department requires legal services provided by the Department of Law due to the nature of many of the agency's regulatory decisions. Legal services account for 8.9 percent of the Department's FY 2020-21 total appropriation. The Division of Professions and Occupations and the Public Utilities Commission accounted for 62.6 percent of the Department's total expenditures for legal services across the last six fiscal years for which there is data, as shown in the following table.

EXPENDITURES FOR LEGAL SERVICES BY DIVISION						
DIVISION	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
Division of Professions and Occupations	\$3,806,392	\$4,186,650	\$3,400,985	\$3,847,912	\$4,057,885	\$4,020,934
Public Utilities Commission	1,828,834	2,296,644	1,920,501	1,881,930	2,278,486	2,248,745
Division of Securities	710,049	780,483	618,076	865,152	953,279	639,376
Division of Insurance	942,438	980,635	966,702	904,976	853,346	1,034,794
Division of Real Estate	918,930	898,837	716,746	796,395	849,348	947,150
Office of Consumer Counsel	529,228	560,856	541,419	566,408	723,817	699,344
Division of Civil Rights	186,532	135,268	103,159	78,314	192,434	222,866
Executive Director's Office	38,323	56,967	178,786	61,346	132,919	144,226
Division of Banking	83,084	143,290	44,217	38,814	56,330	54,793
Division of Financial Services	2,868	9,878	8,408	6,387	5,529	9,115
<b>Total</b>	<b>\$9,046,678</b>	<b>\$10,049,508</b>	<b>\$8,498,999</b>	<b>\$9,047,634</b>	<b>\$10,103,373</b>	<b>10,021,343</b>

## LICENSES ISSUED

The Department is responsible for consumer protection and licenses professionals in various industries as part of this mission. The Divisions of Insurance, Real Estate, Professions and Occupations, and Securities issue the majority of individual licenses. Budgets in these divisions are driven primarily by the number of individuals requiring licensure. The following table illustrates the number of licenses regulated by purpose.

LICENSES REGULATED BY DIVISION					
	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
<b>Div. of Insurance Producer Licenses</b>					
New Licenses	33,160	37,198	57,429	38,698	30,513
Active Licenses	150,058	157,913	164,429	162,352	192,865
<b>Div. of Real Estate</b>					
Broker & Salesperson	40,268	35,276	37,581	38,894	39,627
Mortgage Loan Originators	8,494	9,538	14,597	16,334	15,013
Appraisers	2,734	2,637	2,704	2,913	2,836
<b>Div. of Professions and Occupations</b>					
New Licenses	40,257	42,096	45,843	46,802	47,921
Active Licenses	387,924	396,319	394,724	413,553	426,304
<b>Div. of Securities</b>					
Sales Representative License Renewals	187,878	195,108	201,148	205,267	214,195
Investment Advisor License Renewals	12,287	12,803	14,167	13,850	14,919

## EXAMINATIONS

Securities examinations increased in FY 2011-12 due to additional oversight requirements in federal law. Since this time, the number of examinations has remained relatively consistent from year to year, as shown in the following table.

EXAMINATIONS CONDUCTED DIVISION OF BANKING, FINANCIAL SERVICES, AND SECURITIES						
	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
Banking Examinations	141	146	161	153	161	152
Credit Union Examinations	34	34	35	38	40	39
Securities Examination	138	174	138	143	130	135
<b>Total</b>	<b>313</b>	<b>354</b>	<b>334</b>	<b>334</b>	<b>331</b>	<b>326</b>

## LEGISLATION

The General Assembly has passed an average of 9.7 bills per session (not including annual appropriation bills or supplemental bills) over the last eleven legislative sessions that have a fiscal impact on the Department. The 2020 legislative session included nine (9) bills decreasing appropriations by \$930,505 total funds, including \$34,191 General Fund, to the Department for FY 2020-21. The following table summarizes the fiscal impact of legislation on the Department's budget.

FISCAL IMPACT OF LEGISLATION (DOES NOT INCLUDE LONG BILL OR SUPPLEMENTAL BILL APPROPRIATIONS)							
SESSION YEAR	NUMBER OF BILLS	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
2010	14	\$240,392	\$0	(\$352,941)	\$593,333	\$0	6.4
2011	12	133,102	(24,058)	204,696	(47,038)	(498)	6.8
2012	5	378,246	0	378,246	0	0	2.0
2013	16	334,518	0	334,518	0	0	12.8
2014	10	802,770	0	802,770	0	0	7.0
2015	6	480,817	0	480,817	0	0	1.9
2016	9	1,355,311	0	1,115,311	240,000	0	2.7
2017	5	93,897	0	93,897	0	0	0.6
2018	7	456,148	10,000	446,148	0	0	1.8
2019	14	3,742,270	231,000	3,511,270	0	0	18.9
2020	9	(930,505)	(34,191)	(832,417)	(63,897)	0	1.0
<b>Session Averages</b>	<b>9.7</b>	<b>\$644,270</b>	<b>\$16,614</b>	<b>\$562,029</b>	<b>\$65,673</b>	<b>(\$45)</b>	<b>5.6</b>

## APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

DEPARTMENT OF REGULATORY AGENCIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$115,085,662	\$2,093,519	\$106,186,725	\$5,482,149	\$1,323,269	572.9
SB 19-218	560,143	0	560,143	0	0	0.4
SB 19-236	907,566	0	907,566	0	0	7.5
HB 19-1004	231,000	231,000	0	0	0	0.0
HB 19-1069	19,440	0	19,440	0	0	0.0
HB 19-1095	4,650	0	4,650	0	0	0.0
HB 19-1168	785,904	0	785,904	0	0	3.0
HB 19-1174	63,924	0	63,924	0	0	0.9
HB 19-1216	26,054	0	26,054	0	0	0.4
HB 19-1233	109,679	0	109,679	0	0	0.4
HB 19-1242	183,063	0	183,063	0	0	1.2
HB 19-1264	500,000	0	500,000	0	0	3.8
HB 19-1269	88,248	0	88,248	0	0	1.1
HB 19-1283	12,599	0	12,599	0	0	0.2
HB 19-1332	250,000	0	250,000	0	0	0.0
TOTAL	\$118,827,932	\$2,324,519	\$109,697,995	\$5,482,149	\$1,323,269	591.8
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$118,827,932	\$2,324,519	\$109,697,995	\$5,482,149	\$1,323,269	591.8
Intrastate pipeline safety enhancements	436,345	0	436,345	0	0	4.0
Centrally appropriated line items	359,409	(125,879)	341,575	101,208	42,505	0.0
Annualize prior year legislation	285,015	(223,809)	492,590	13,894	2,340	4.0
Talking book library	200,000	0	200,000	0	0	0.0
Indirect cost assessment	37,795	0	(36,773)	0	74,568	0.0
Adjust unused telecommunications spending authority	(463,192)	0	(463,192)	0	0	0.0
HB 20-1360	\$119,683,304	\$1,974,831	\$110,668,540	\$5,597,251	\$1,442,682	599.8
SB 20-030	16,545	0	16,545	0	0	0.2

DEPARTMENT OF REGULATORY AGENCIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 20-118	(20,918)	0	(20,918)	0	0	(0.5)
HB 20-1061	13,347	0	13,347	0	0	0.2
HB 20-1158	3,337	0	3,337	0	0	0.1
HB 20-1209	15,554	0	15,554	0	0	0.2
HB 20-1286	(11,252)	0	(11,252)	0	0	(0.2)
HB 20-1293	83,247	0	83,247	0	0	0.9
HB 20-1332	9,641	9,641	0	0	0	0.1
HB 20-1379	(1,040,006)	(43,832)	(932,277)	(63,897)	0	0.0
<b>TOTAL</b>	<b>\$118,752,799</b>	<b>\$1,940,640</b>	<b>\$109,836,123</b>	<b>\$5,533,354</b>	<b>\$1,442,682</b>	<b>600.8</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$75,133)</b>	<b>(\$383,879)</b>	<b>\$138,128</b>	<b>\$51,205</b>	<b>\$119,413</b>	<b>9.0</b>
Percentage Change	(0.1%)	(16.5%)	0.1%	0.9%	9.0%	1.5%

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**INTRASTATE PIPELINE SAFETY ENHANCEMENTS:** The appropriation includes increase of \$436,345 cash funds from the Fixed Utilities Cash Fund for FY 2020-21, and \$491,073 in subsequent fiscal years, as well as 4.0 FTE. The funds and FTE will go to the Public Utilities Commission Pipeline Safety Program to hire four new pipeline engineers to provide oversight, training, and inspections of pipelines and operators, as well as four new pipeline inspection vehicles.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items, as detailed in the following table.

CENTERALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Health, life, and dental	\$435,087	(\$31,498)	\$445,400	\$21,185	\$0	0.0
Leased space	139,310	3,913	79,938	53,403	2,056	0.0
ALJ	134,482	6,076	128,406	0	0	0.0
CORE	83,126	3,221	74,609	4,280	1,016	0.0
OIT Colorado Digital Services	42,112	0	42,112	0	0	0.0
AED adjustment	11,506	(7,224)	30,409	(12,980)	1,301	0.0
SAED	11,506	(7,224)	30,409	(12,980)	1,301	0.0
Short-term disability adjustment	655	(235)	1,265	(421)	46	0.0
Fund Split Adjustments	0	(82,228)	(10,750)	92,978	0	0.0
Legal services	(311,791)	21,174	(346,257)	(34,395)	47,687	0.0
HLD decrease in lieu of personal services base reduction	(74,526)	(74,526)	0	0	0	0.0
PERA Direct Distribution	(28,884)	5,918	(15,497)	(8,852)	(10,453)	0.0
NP-01 Annual Fleet Vehicle Request	(27,484)	0	(27,484)	0	0	0.0
Payment to risk management / property funds	(22,978)	(633)	(21,422)	(639)	(284)	0.0
Payments to OIT	(17,438)	37,754	(55,192)	0	0	0.0
Workers' compensation	(11,177)	(367)	(10,274)	(371)	(165)	0.0
OIT Budget Request Package	(4,097)	0	(4,097)	0	0	0.0
<b>TOTAL</b>	<b>\$359,409</b>	<b>(\$125,879)</b>	<b>\$341,575</b>	<b>\$101,208</b>	<b>\$42,505</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation, as detailed in the following table.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB19-218 Sunset Medical Marijuana	\$384,743	\$0	\$384,743	\$0	\$0	1.0
HB19-1168 State Innovation Waiver Rein	229,218	0	229,218	0	0	1.0
SB18-200 PERA	226,556	7,191	203,131	13,894	2,340	0.0
HB19-1242 Board of Pharmacy Regulate	84,601	0	84,601	0	0	0.7

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB19-1283 Policy Information Disclosure	12,600	0	12,600	0	0	0.2
HB19-1332 Talking Book Library	(250,000)	0	(250,000)	0	0	0.0
HB19-1004 Affordable Health Coverage	(231,000)	(231,000)	0	0	0	0.0
HB19-1233 Primary Care Payment Reform	(60,170)	0	(60,170)	0	0	(0.1)
SB19-236 PUC Sunset	(34,732)	0	(34,732)	0	0	1.5
HB19-1174 Out of Network Charges	(29,211)	0	(29,211)	0	0	0.0
HB19-1069 Sign Language Interpreters	(19,440)	0	(19,440)	0	0	0.0
HB19-1216 Reduce Insulin Prices	(13,027)	0	(13,027)	0	0	(0.2)
HB19-1269 Mental Health Parity	(12,873)	0	(12,873)	0	0	(0.1)
HB19-1095 Physician Assistant Supervision	(2,250)	0	(2,250)	0	0	0.0
<b>TOTAL</b>	<b>\$285,015</b>	<b>(\$223,809)</b>	<b>\$492,590</b>	<b>\$13,894</b>	<b>\$2,340</b>	<b>4.0</b>

**TALKING BOOK LIBRARY:** The appropriation includes \$200,000 cash funds from the Disabled Users Telephone Fund for the Talking Book Library program. A similar one-time \$250,000 appropriation was made in FY 2019-20.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the Department's indirect cost assessment.

**ADJUST UNUSED TELECOMMUNICATIONS SPENDING AUTHORITY:** The appropriation includes a reduction of \$463,192 in ongoing cash funds spending authority for the Disabled Telephone Users Fund Payments line item to the Public Utilities Commission. This decrease brings spending authority levels in line with current projected use of Relay Colorado. Relay Colorado is a free telephone service enacted in statute (Section 40-17-101, C.R.S.) that provides text-telephone services to those who are deaf, hard of hearing, deaf-blind, or speech disabled. Usage of this service has fallen over the last five years, primarily because of advances in technology.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see the “*Appendix A, Recent Legislation*”.

# DEPARTMENT OF REVENUE

The Department of Revenue is organized into three functional groups: Taxation, Motor Vehicles, and Specialized Business. The Taxation Business Group collects revenues for state and local governments. The Division of Motor Vehicles regulates motor vehicle safety, issues personal identification documents, issues titles and registration documents for motor vehicles, enforces vehicle emission standards, operates the Motorist Insurance Identification Database Program, and regulates commercial truck drivers. The Specialized Business Group regulates limited stakes gambling, alcohol, tobacco, racing events, and motor vehicle dealers, and regulates medical and retail marijuana dispensaries, cultivation facilities, and infused products manufacturing facilities. The three functional areas are supported by the Executive Director's Office and Information Technology Division. The Hearings Division operates under the Executive Director's Office and conducts hearings for each of the enforcement programs.

The Department is statutorily authorized to contract with cities and counties to collect any tax that it also collects for state government. The Department currently receives and distributes sales and use taxes on behalf of approximately 250 local governments and special districts.

The Department also operates the State Lottery, which accounts for approximately one-fourth of the Department's annual budget. Lottery proceeds (sales less prizes and expenses) are distributed to the Conservation Trust Fund, Great Outdoors Colorado, the Division of Parks and Wildlife, and the Public School Capital Construction Assistance Fund.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	\$108,468,830	\$113,271,850	\$124,688,584	\$117,400,299
Cash Funds	241,710,307	250,494,506	272,293,824	281,140,152
Reappropriated Funds	6,245,246	6,381,910	6,149,821	6,908,583
Federal Funds	824,388	824,388	1,036,329	1,036,513
<b>TOTAL FUNDS</b>	<b>\$357,248,771</b>	<b>\$370,972,654</b>	<b>\$404,168,558</b>	<b>\$406,485,547</b>
Full Time Equiv. Staff	1,437.2	1,472.2	1,564.9	1,592.6

## GENERAL FACTORS DRIVING THE BUDGET

The Department's funding for FY 2020-21 consists of 28.9 percent General Fund, 69.2 percent cash funds, 1.7 percent reappropriated funds, and 0.3 percent federal funds. The Department's primary budget drivers are the State's tax structure, population levels, business activity in regulated industries, and technological capabilities. In addition, mineral severance activity and legislative changes related to identification document requirements have increased demands on Department staff and systems in recent years.

### TAXATION BUSINESS GROUP

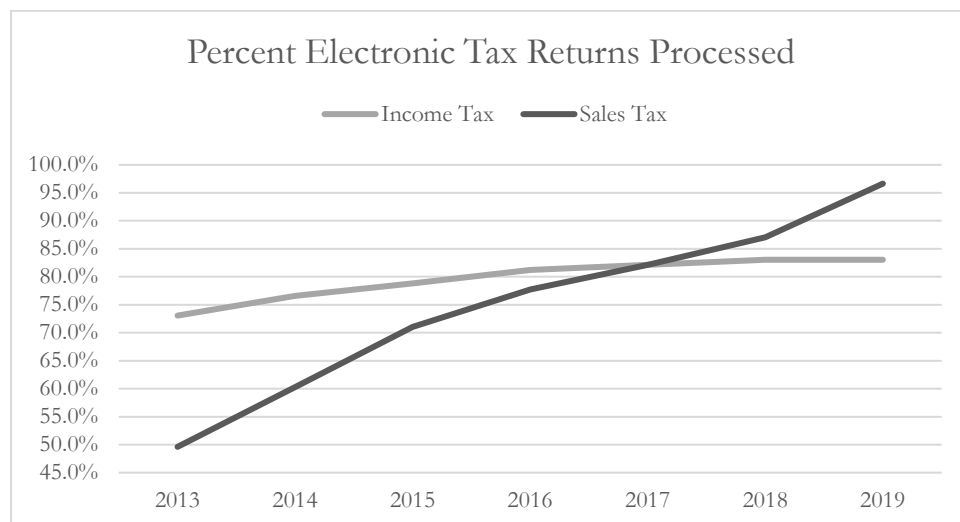
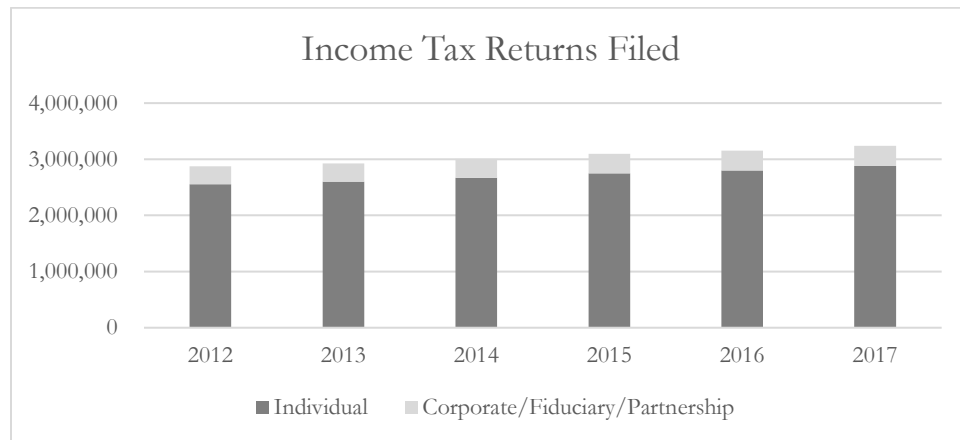
The complexity of Colorado's tax structure affects the resources required by the Taxation Business Group and Information Technology Division. In addition to collecting state taxes, the Department collects local taxes for most counties, cities, and special districts in Colorado, tracking and distributing collections monthly to local governments. Local sales taxes collected include: county lodging, local marketing, regional transportation, football stadium, scientific and cultural, local improvement, mass transit, and short term rental.

In FY 2018-19, the most recent year with finalized and audited data, tax collections totaled \$13.86 billion, including:

- \$8.97 billion in corporate and individual incomes taxes;
- \$3.38 billion in sales and use taxes;

- \$262.2 million in general and special sales taxes on marijuana;
- \$217.9 million in severance taxes; and
- \$1.04 billion in all other excise taxes were collected.

The following charts outline the recent history for income tax returns filed and the percent of electronic tax returns processed.



## DIVISION OF MOTOR VEHICLES

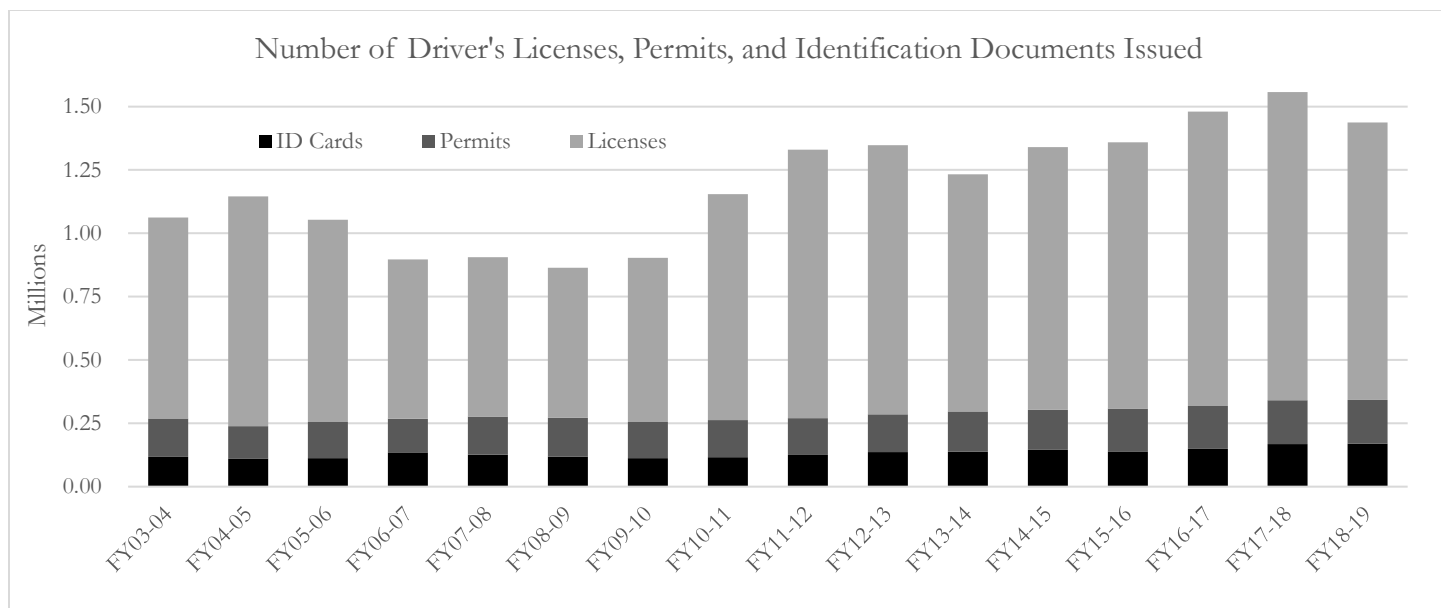
The Division of Motor Vehicles issues driver's licenses and identification cards, maintains driver records and enforces administrative sanctions, suspensions, and reinstatements of driver's licenses, regulates commercial driving schools, oversees the State's vehicle emissions program, provides support for the Driver License, Record, Identification, and Vehicle Enterprise Solution (DRIVES) system (formerly the Statewide Vehicle Titling and Registration System or CSTARS), oversees the motorist insurance identification database program, and administers the Ignition Interlock Subsidy Program.

## DRIVER AND VEHICLE SERVICES

Legislation on both the state and federal levels is a significant budget driver for this division. In 2001, the term of a driver's license was increased from five to ten years. The number of driver's licenses issued dropped in FY 2006-07 as the first drivers who were issued ten-year licenses did not have to renew their licenses. As a result of subsequent legislation passed in order to comply with federal law, the State returned to five-year renewals beginning in 2005. Starting in January 2011, the first five-year driver's licenses that were issued starting in 2005, along with the ten-year

licenses that were issued in 2001, were due for renewal at the same time, resulting in an increase in the number of documents issued. Recent changes in state and federal law have also increased transaction times for driver's licenses and ID cards. For example, the Department has instituted new policies and procedures to ensure that those documents are secure and verifiable by utilizing databases to confirm residency and legal status.

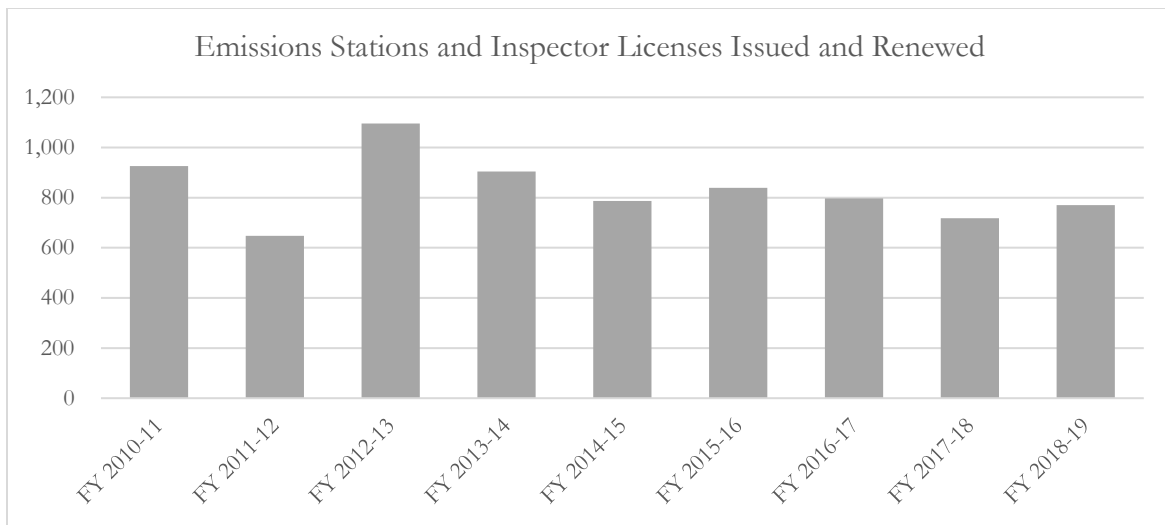
There are 57 driver's license offices (37 operated by the State and 20 operated by the counties) that issue driver's licenses and state identification (ID) cards. In addition to issuing driver's licenses, the Driver Services and Vehicle Services sections are responsible for: managing driver's licensing records; verifying documents presented for identification, including proof of the applicant's legal presence in the United States; identifying and administering administrative sanctions, including all restraints for alcohol related driving offenses; investigating fraud related to driver's licenses and identification cards; providing support and coordination for the motor vehicle registration process; administering the Colorado Road and Community Safety Act; and supervising license plate ordering and distribution. The following chart outlines annual driver's licenses, permits, and Colorado I.D. cards issued since FY 2003-04.



## VEHICLE EMISSIONS PROGRAM

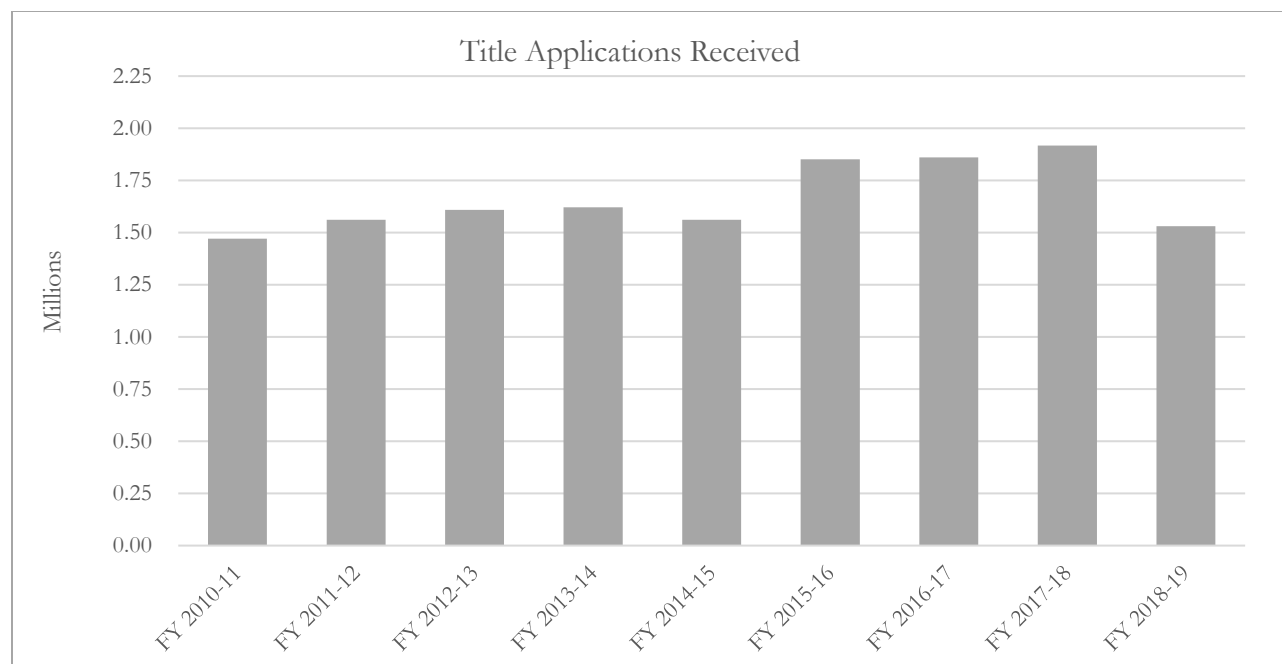
The Vehicle Emissions Program licenses, regulates, and inspects vehicle emissions testing site operators, inspectors, and mechanics; conducts inspections of vehicle emissions testing facilities to insure compliance with statutory requirements; and validates inspector and mechanic performance standards. The following chart outlines annual emissions stations and inspector licenses issued and renewed since FY 2010-11.





## TITLES PROGRAM

The Titles Program is responsible for the issuance of legal, negotiable certificates of title to protect the public when purchasing motor vehicles. Program staff review all high-risk title applications to verify proper assignment of ownership. The following chart outlines annual title applications received since FY 2010-11.



## SPECIALIZED BUSINESS GROUP

The Specialized Business Group regulates the liquor, tobacco, medical and retail marijuana, racing, gambling (except games of chance operated for charity, which are regulated by the Secretary of State), and automobile sales industries. The Limited Gaming Control Commission approves the Limited Gaming Division budget.

## LIMITED GAMING DIVISION

The Limited Gaming Division licenses and regulates the limited gaming industry, including gaming devices, facilities, online and in-person sports betting, personnel, and activities. The Division also enforces the laws contained in the Limited Gaming Act, as well as the rules and regulations promulgated by the Colorado Limited Gaming Control Commission (Commission). The Commission has constitutional authority to allocate money to the Division and thus

approves the Limited Gaming Division budget. Money remains in the Limited Gaming Fund after the payment of the Division's expenses are distributed according to the Constitution as follows:

- 28.0 percent to the State Historical Society;
- 12.0 percent to the gaming counties (Gilpin and Teller) in amounts proportional to gaming revenues collected in each county;
- 10.0 percent to the gaming cities (Black Hawk, Central City, and Cripple Creek) in amounts proportional to gaming revenues collected in each city; and
- 50.0 percent to the General Fund or such other uses or funds as the General Assembly may provide.

Amendment 50, approved by voters in 2008, expanded limited gaming to include higher limits on bets, extended hours, and new games. The proceeds of expanded gaming, after expenses, are distributed to limited gaming cities (10.0 percent) and counties (12.0 percent), and the State's community colleges (78.0 percent).

Proposition DD, approved by voters in 2020, allowed for the legalization and taxation of sports betting in Colorado. Proceeds related to sports betting are deposited into the Sports Betting Fund and remain separate from limited gaming funds. After payment of related administrative expenses, money in the sports betting fund is distributed as follows:

- 6.0 percent of the fiscal year's revenues to a hold-harmless fund;
- 130,000 to the Office of Behavioral Health in the Department of Human Services; and
- the remainder to the Water Plan Implementation Cash Fund.

State limited gaming revenues, expenses, and distributions are detailed in the following table.

LIMITED GAMING REVENUE, EXPENSES, AND DISTRIBUTIONS					
	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
Limited Gaming Revenue	\$111,421,159	\$118,073,006	\$119,169,899	\$127,197,818	\$127,747,710
Commission/Division Expenses	(13,981,725)	(14,561,705)	(15,022,463)	(\$15,385,240)	(\$16,035,631)
Expenses percent of revenue	12.5%	12.3%	12.6%	12.1%	12.6%
Total Limited Gaming Distributions	(\$97,218,342)	(\$103,684,917)	(\$104,082,249)	(\$111,617,671)	(\$111,782,407)
Distributions percent of revenue	87.3%	87.8%	87.3%	87.8%	87.5%
<b>Amendment 50 Distributions</b>					
Limited Gaming Counties (12 percent)	\$1,185,549	\$1,506,898	\$1,610,384	\$2,008,593	\$2,151,814
Limited Gaming Cities (10 percent)	987,059	1,255,749	1,341,986	1,673,828	1,793,179
Community College System (78 percent)	7,702,884	9,794,840	10,467,496	13,055,859	13,986,794
<b>Total distributions - Amendment 50</b>	<b>\$9,875,492</b>	<b>\$12,557,487</b>	<b>\$13,419,866</b>	<b>\$16,738,280</b>	<b>\$17,931,787</b>
<b>State Share Distributions (50 percent):</b>					
State General Fund	\$13,571,425	\$15,463,715	\$15,231,191	\$16,895,831	\$16,035,631
Local Government Gaming Impact Fund	5,000,000	5,000,000	5,000,000	5,443,865	5,398,346
Tourism Promotion Fund	15,000,000	15,000,000	15,000,000	15,000,000	15,000,000
Film Incentives Cash Fund	500,000	500,000	500,000	500,000	500,000
Advanced Industries Acceleration Cash Fund	5,500,000	5,500,000	5,500,000	5,500,000	5,500,000
Innovative Higher Ed Research Fund	2,100,000	2,100,000	2,100,000	2,100,000	2,100,000
Creative Industries Cash Fund	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
<b>Total distributions - State Share</b>	<b>\$43,671,425</b>	<b>\$45,563,715</b>	<b>\$45,331,191</b>	<b>\$47,439,696</b>	<b>\$46,533,977</b>
<b>State Historical Fund distribution (28 percent)</b>	<b>\$24,455,998</b>	<b>\$25,515,681</b>	<b>\$25,385,467</b>	<b>\$26,566,229</b>	<b>\$26,278,174</b>
<b>Limited Gaming Counties (12 percent)</b>					
Gilpin County	\$8,780,053	\$9,162,681	\$9,095,250	\$9,530,825	\$9,370,046
Teller County	1,701,089	1,772,611	1,784,236	1,854,702	1,892,028
<b>Total distributions - Counties</b>	<b>\$10,481,142</b>	<b>\$10,935,292</b>	<b>\$10,879,486</b>	<b>\$11,385,527</b>	<b>\$11,262,074</b>

## LIMITED GAMING REVENUE, EXPENSES, AND DISTRIBUTIONS

	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
<b>Limited Gaming Cities (10 percent)</b>					
City of Black Hawk	\$6,592,639	\$6,864,629	\$6,792,426	\$7,090,337	\$6,916,791
Central City	724,072	770,938	786,949	852,017	891,581
City of Cripple Creek	1,417,574	1,477,176	1,486,863	1,545,585	1,576,690
<b>Total distributions - Cities</b>	<b>\$8,734,285</b>	<b>\$9,112,743</b>	<b>\$9,066,238</b>	<b>\$9,487,939</b>	<b>\$9,385,062</b>

## LIQUOR AND TOBACCO ENFORCEMENT DIVISION

The Liquor and Tobacco Enforcement Division licenses persons who manufacture, import, distribute, or sell alcoholic beverages; regulates the sale and distribution of liquor within the State; and enforces state and federal laws regarding the sale of tobacco products to minors. The Division enforces the provisions of the liquor, beer, and special events codes. The following table details the enforcement actions the Division has undertaken in the last seven fiscal years.

### LIQUOR AND TOBACCO ENFORCEMENT DIVISION - ENFORCEMENT ACTIONS

	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
Total liquor licenses in force	12,816	12,998	13,348	14,113	14,154	14,438	15,551
State administrative actions	424	382	314	452	409	287	296
State revocations	0	5	0	0	4	6	1
State suspensions	70	44	33	57	41	30	19
State denials	1	3	3	3	1	3	2
Division filed court cases <sup>1</sup>	1,042	1,026	988	874	482	641	447
Division assisted local hearings	12	5	3	1	2	0	2
<b>Total Enforcement Actions</b>	<b>1,549</b>	<b>1,465</b>	<b>1,341</b>	<b>1,387</b>	<b>939</b>	<b>967</b>	<b>767</b>

<sup>1</sup>The decline in FY 2016-17 Division-filed court cases is due to a temporary budget shortfall and subsequent temporary personnel transfers. In FY 2017-18, the Liquor Enforcement Division saw an increase in court cases that were filed but a decrease in administrative actions. This was due to a change in focus on inspections and industry outreach.

## MOTOR VEHICLE DEALER LICENSING BOARD

The Motor Vehicle Dealer Licensing Board is responsible for licensing and regulating the sale and distribution of motor vehicles and promulgating consumer protection regulations. Responsibilities include licensing all salespersons and those with ownership interests in new and used auto dealerships.

### MOTOR VEHICLE DEALER LICENSING BOARD - LICENSE AND REGULATION ACTIVITY

	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
Total dealer/salesperson licenses issued	18,699	19,295	19,952	20,893	22,251	21,811	21,550
Complaints received	1,234	1,225	1,218	1,242	1,067	1,035	1,090
Investigations completed	1,304	1,270	1,220	1,297	1,189	994	1,034
Violations/founded complaints	673	656	697	761	671	621	710
Verbal warnings issued	326	238	181	122	97	64	36
Warning letters issued	175	225	321	420	406	407	512
Criminal summons issued	22	11	25	12	23	12	6
Cases presented to Dealer Board	135	159	153	93	141	123	155
<b>Total License and Regulation Activity</b>	<b>22,568</b>	<b>23,079</b>	<b>23,767</b>	<b>24,840</b>	<b>25,845</b>	<b>25,067</b>	<b>25,093</b>

## MARIJUANA ENFORCEMENT

House Bill 10-1284 established the Medical Marijuana Enforcement Division, which is responsible for the licensing and regulation of medical marijuana dispensaries, cultivation facilities, and infused products manufacturing facilities, and enforcing state laws and regulations regarding medical marijuana. House Bill 13-1317 renamed the division the Marijuana Enforcement Division and gave the Division responsibility for regulation of retail and medical marijuana retailers, cultivation facilities, and infused products manufacturers. Senate Bill 14-215 created the Marijuana Tax Cash Fund (MTCF) and directs that all sales taxes collected by the State starting in FY 2014-15 from retail and medical

marijuana be deposited in the MTCF instead of the Marijuana Cash Fund (MCF). For more information about bills related to the topic of marijuana and the disposition of marijuana taxes made through the FY 2020-21 Long Bill, please refer to Appendix I – Marijuana.

MARIJUANA ENFORCEMENT - LICENSING ACTIVITY						
	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
<b>Medical Marijuana (MM) Licensing Activity</b>						
MM center business licenses	493	512	529	509	495	433
MM infused product business licenses	149	183	237	256	253	216
MM optional premises cultivation licenses	729	763	785	765	725	478
MM testing facility business licenses	n/a	n/a	n/a	14	11	11
<b>Retail Marijuana (RM) Licensing Activity</b>						
RM store business licenses	221	372	435	492	538	553
RM product manufacturer business licenses	63	132	193	271	289	280
RM optional premises cultivation licenses	279	471	572	692	744	675
RM testing facility business licenses	8	19	15	13	11	13

## STATE LOTTERY DIVISION

The State Lottery recorded sales of \$679.8 million in FY 2018-19, and net proceeds of \$166.4 million were distributed to the beneficiaries. The table below shows historical total sales and distributions of net proceeds from the lottery.

LOTTERY - SALES AND DISTRIBUTIONS (IN MILLIONS)							
	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
Total Sales	\$566.3	\$545.0	\$538.0	\$594.4	\$555.3	\$612.0	\$679.8
Distributions							
Conservation Trust Fund	54.2	52.1	51.2	57.4	53.4	56.3	66.6
Great Outdoors Colorado	59.2	60.3	62.0	63.7	64.5	66.2	68.5
Colorado Parks and Wildlife	13.6	13.0	12.8	14.4	13.3	14.1	16.6
Public School Capital Construction Fund (BEST)	8.6	4.7	2.0	8.1	2.3	4.1	14.7
<b>Total Distributions</b>	<b>\$135.6</b>	<b>\$130.1</b>	<b>\$128.0</b>	<b>\$143.6</b>	<b>\$133.5</b>	<b>\$140.7</b>	<b>\$166.4</b>

## APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

DEPARTMENT OF REVENUE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$393,996,502	\$121,117,814	\$265,692,538	\$6,149,821	\$1,036,329	1,503.6
SB 19-006	817,000	817,000	0	0	0	0.0
SB 19-035	6,750	0	6,750	0	0	0.0
SB 19-054	45,000	0	45,000	0	0	0.0
SB 19-139	1,737,800	0	1,737,800	0	0	21.6
SB 19-142	2,000	2,000	0	0	0	0.0
SB 19-167	56,364	0	56,364	0	0	0.0
SB 19-175	1,575	0	1,575	0	0	0.0
SB 19-205	14,771	0	14,771	0	0	0.0
SB 19-224	396,604	0	396,604	0	0	1.8
SB 19-235	18,000	18,000	0	0	0	0.0
SB 19-248	30,000	30,000	0	0	0	0.0
SB 19-249	14,000	0	14,000	0	0	0.0
SB 19-256	1,187,502	0	1,187,502	0	0	3.1
HB 19-1023	6,750	0	6,750	0	0	0.0
HB 19-1039	58,500	0	58,500	0	0	0.0
HB 19-1085	678,347	678,347	0	0	0	0.0
HB 19-1090	2,728,795	0	2,728,795	0	0	15.5
HB 19-1138	7,200	0	7,200	0	0	0.0

DEPARTMENT OF REVENUE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1230	399,479	0	399,479	0	0	3.2
HB 19-1234	390,152	0	390,152	0	0	3.6
HB 19-1245	286,408	286,408	0	0	0	0.4
HB 19-1265	3,375	0	3,375	0	0	0.0
HB 19-1327	1,739,015	1,739,015	0	0	0	11.6
HB 20-1001	45,414	0	45,414	0	0	0.5
HB 20-1257	(498,745)	0	(498,745)	0	0	0.0
<b>TOTAL</b>	<b>\$404,168,558</b>	<b>\$124,688,584</b>	<b>\$272,293,824</b>	<b>\$6,149,821</b>	<b>\$1,036,329</b>	<b>1,564.9</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$404,168,558	\$124,688,584	\$272,293,824	\$6,149,821	\$1,036,329	1,564.9
Centrally appropriated line items	8,375,686	(78,963)	8,487,874	(29,151)	(4,074)	0.0
Technical adjustments	1,913,931	285,722	319,279	1,308,930	0	0.0
Finance CDPHE lab with Marijuana Cash Funds	1,336,719	0	1,336,719	0	0	0.0
Indirect cost assessment	517,924	505,236	530,612	(517,924)	0	0.0
Auto Industry Division fingerprinting	200,000	0	200,000	0	0	0.0
Department budget realignments	0	0	0	0	0	0.0
Shift spending to cash funds - Division of Motor Vehicles	0	(750,000)	750,000	0	0	0.0
Revenue forecast adjustments	(4,334,885)	(4,275,044)	(59,841)	0	0	0.0
Budget efficiencies	(3,109,612)	(200,000)	(2,909,612)	0	0	(10.0)
Annualize prior year budget actions	(2,324,700)	(223,793)	(2,099,388)	(1,519)	0	(4.0)
Annualize prior year legislation	(756,215)	(1,810,501)	1,049,487	541	4,258	22.8
<b>HB 20-1360</b>	<b>\$405,987,406</b>	<b>\$118,141,241</b>	<b>\$279,898,954</b>	<b>\$6,910,698</b>	<b>\$1,036,513</b>	<b>1,573.7</b>
SB 20-035	112,500	0	112,500	0	0	0.0
SB 20-056	3,375	0	3,375	0	0	0.0
SB 20-218	39,769	39,769	0	0	0	0.0
HB 20-1001	2,391,262	0	2,391,262	0	0	18.9
HB 20-1153	26,479	0	26,479	0	0	0.0
HB 20-1293	18,930	0	18,930	0	0	0.0
HB 20-1379	(2,143,176)	(829,713)	(1,311,348)	(2,115)	0	0.0
HB 20-1420	49,002	49,002	0	0	0	0.0
<b>TOTAL</b>	<b>\$406,485,547</b>	<b>\$117,400,299</b>	<b>\$281,140,152</b>	<b>\$6,908,583</b>	<b>\$1,036,513</b>	<b>1,592.6</b>
<b>INCREASE/(DECREASE)</b>	<b>\$2,316,989</b>	<b>(\$7,288,285)</b>	<b>\$8,846,328</b>	<b>\$758,762</b>	<b>\$184</b>	<b>27.7</b>
Percentage Change	0.6%	(5.8%)	3.2%	12.3%	0.0%	1.8%

<sup>1</sup> Includes \$37,272,466 in FY 2019-20 and \$33,800,122 in FY 2020-21 that is not subject to the statutory restriction on state General Fund appropriations imposed by Section 24-75-201.1, C.R.S.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

Senate Bill 20-1257 (Supplemental Bill) modifies the FY 2019-20 appropriation to:

- Add \$140,769 from various cash funds for leased space for positions added through bills during the 2019 legislative session;
- Make a series of net neutral technical adjustments to relocate appropriations in five bills enacted in the 2019 legislative session. These corrections change the line items receiving the appropriations but do not increase the total appropriation for any of the five bills. The affected bills are: H.B. 19-1090 (Publicly Licensed Marijuana Companies), H.B. 19-1230 (Marijuana Hospitality Establishments), H.B. 19-1234 (Regulated Marijuana Delivery), H.B. 19-1327 (Authorize and Tax Sports Betting), and S.B. 19-248 (State Tax System Working Group); and
- Make a reduction of \$639,514 cash funds from the Licensing Services Cash Fund for the Parker Driver's License Office (DLO) expansion project.

House Bill 20-1001 (Nicotine Product Regulation) modifies the FY 2019-20 appropriation to add \$45,414 cash funds from the Liquor Enforcement Division Cash Fund and a corresponding 0.5 FTE to implement the act.

House Bill 20-1360 (Long Bill) includes a technical adjustment to the appropriation clause of H.B. 19-1090 (Publicly Licensed Marijuana Companies) that extends spending authority through June 30, 2021. The authorization is for \$875,000 cash funds from the Marijuana Cash Fund for the Marijuana Enforcement Division for a new licensing software system acquisition project that is unable to be completed in FY 2019-20.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**SUMMARY OF FY 2020-21 BUDGET BALANCING APPROPRIATIONS:** The FY 2020-21 appropriation adjustments in this table include a reduction of \$695,535 total funds, comprised of a reduction of \$2.8 million General Fund and an increase of \$2.1 million cash funds. This total excludes budget reductions in additional legislation and in central appropriations, with the exception of the Health, Life, and Dental adjustment that was made as an alternative to a personal services base reduction. These actions are described individually below.

Other budget balancing actions include the postponement of annualizations for the Department's FY 2019-20 request for GenTax Support Enhancements and H.B. 19-1230 (Marijuana Hospitality Establishments). Delaying these annualizations prevented an increase of \$1,397,326 General Fund, 317,058 cash funds, and an associated 12.3 FTE that would have otherwise occurred in FY 2020-21.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes the following adjustments to centrally appropriated line items:

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Payments to OIT	\$6,273,378	\$2,210,235	\$4,063,143	\$0	\$0	0.0
Health, life, and dental	3,470,835	622,449	2,857,081	(21,357)	12,662	0.0
CORE	560,317	213,549	346,768	0	0	0.0
AED	407,968	113,430	296,500	(2,926)	964	0.0
SAED	407,968	113,430	296,500	(2,926)	964	0.0
Leased space	234,637	49,374	185,263	0	0	0.0
Capitol Complex leased space	160,549	(634,022)	794,571	0	0	0.0
Short-term disability	14,136	3,853	10,343	(98)	38	0.0
Shift differential	9,305	0	9,305	0	0	0.0
Health, life, and dental adjustment in lieu of personal services base reduction for budget balancing	(2,032,254)	(2,032,254)	0	0	0	0.0
Document management	(404,756)	(404,756)	0	0	0	0.0
Legal services adjustment	(356,450)	(195,085)	(161,365)	0	0	0.0
Workers' compensation	(247,057)	(100,415)	(146,642)	0	0	0.0
PERA Direct Distribution	(75,510)	(19,998)	(34,966)	(1,844)	(18,702)	0.0
Payment to risk management and property funds	(37,341)	(16,451)	(20,890)	0	0	0.0
Annual fleet vehicle request	(9,345)	(2,302)	(7,043)	0	0	0.0
Administrative law judge	(694)	0	(694)	0	0	0.0
<b>TOTAL</b>	<b>\$8,375,686</b>	<b>(\$78,963)</b>	<b>\$8,487,874</b>	<b>(\$29,151)</b>	<b>(\$4,074)</b>	<b>0.0</b>

**TECHNICAL ADJUSTMENTS:** The appropriation includes the following technical adjustments:

TECHNICAL ADJUSTMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Reappropriated funds true-up	\$1,308,930	\$0	\$0	\$1,308,930	\$0	0.0
FAST Enterprises contract escalator	605,001	285,722	319,279	0	0	0.0
Net-neutral technical adjustments for 2019 legislation	0	0	0	0	0	0.0
<b>TOTAL</b>	<b>\$1,913,931</b>	<b>\$285,722</b>	<b>\$319,279</b>	<b>\$1,308,930</b>	<b>\$0</b>	<b>0.0</b>

**FINANCE CDPHE LAB WITH MARIJUANA CASH FUND:** The appropriation includes an ongoing increase of \$1,336,719 to finance the existing Marijuana Laboratory Testing Reference Library within the Colorado Department of Public Health and Environment with funding from the Marijuana Cash Fund in lieu of the Marijuana Tax Cash Fund. This is a budget balancing action.

**INDIRECT COST ASSESSMENT:** The appropriation includes net adjustments to indirect costs across the Department that include a net increase in indirect cost assessments and a refinancing from cash and reappropriated funds to General Fund to accommodate a net decrease in indirect cost recoveries.

**AUTO INDUSTRY DIVISION FINGERPRINTING:** The appropriation includes an ongoing operating increase for the Auto Industry Division (AID) of \$200,000 cash funds from the Auto Dealers License Fund to align with existing payments to the Colorado Bureau of Investigation (CBI) for fingerprint background checks and account for those payments through the appropriation. Currently, AID collects the fee for fingerprinting as part of the total transaction cost of license applications and passes on the revenues from applicants directly to CBI, instead of recording the full transaction cost as revenue to AID and separately recording payments to CBI as expenses.

**DEPARTMENT BUDGET REALIGNMENTS:** The appropriation includes the following net-neutral budget realignments to reposition FTE to match budget with actual practice or to consolidate line items:

- Repositions \$399,272 General Fund and 4.0 FTE from the Taxation and Compliance Division to the Executive Director's Office.
- Within the Division of Motor Vehicles, repositions 8.0 FTE from the Driver Services section and 9.0 FTE from the Vehicle Services section totaling \$1,544,696 in Personal Services and Operating Expenses to the DMV Administration section.
- A back office cashier realignment repositions \$103,150 cash funds from various sources and 2.0 FTE from the Executive Director's Office to the Division of Motor Vehicles;
- A realignment that consolidates the Operating Expenses, Travel, and Research line items into a single Operating Expenses appropriation for the Lottery Division.

**SHIFT SPENDING TO CASH FUNDS – DMV:** The appropriation includes an ongoing reduction of \$750,000 from the General Fund appropriation to the Division of Motor Vehicles, Driver Services Division, and an accompanying increase of \$750,000 from the Licensing Services Cash Fund to support the Division's operations. This is a budget balancing action.

**REVENUE FORECAST ADJUSTMENTS:** The appropriation includes a decrease of \$4.3 million total funds, including a decrease of \$4,275,044 General Fund and \$59,841 cash funds, resulting from the revenue forecast for cigarette and marijuana tax General Fund and Tobacco Tax Cash Fund distributions to local governments via statutory or constitutional formula.

**BUDGET EFFICIENCIES:** The appropriation includes a decrease of \$3.1 million total funds, including a decrease of \$200,000 General Fund and \$2,909,612 cash funds, for the following items:

- A decrease of \$2,000,000 from the Division of Motor Vehicle's License Plate Cash Fund for License Plate Services. Revenue generated in the fund has been insufficient to allow spending up to the full appropriation within the license plate ordering line item.
- A decrease of \$450,000 from the Limited Gaming Fund appropriation for the Division of Gaming. This reduction is to remove funding for 3.0 FTE and other personal services funding for temporary positions and contracting within the division that have been vacant for the past year.

- A decrease of \$310,466 cash funds, including \$255,000 from the Marijuana Tax Cash Fund and \$55,466 from the Tobacco Tax Enforcement Cash Fund, and 5.0 FTE in the Tax and Compliance Division to align with actual resources and staffing levels.
- A decrease of \$200,000 General Fund in the Tax Conferee Office. This funding is used to hire temporary staff during the high-volume tax season. The Department states that this item was added to the budget in 2010 to address a backlog which has been eliminated and is no longer necessary.
- A decrease of \$70,500 cash funds, including \$58,500 from the Private Letter Ruling Fund and \$12,000 from the Marijuana Tax Cash Fund, and 1.0 FTE in the Taxpayer Services Division to align with actual revenue.
- A decrease of \$50,000 cash funds from various sources in the Executive Director's Office to align with actual expenditures over the last two years.
- A decrease in spending authority of \$28,646 from the Cigarette Ignition Propensity Standards Cash Fund to align the appropriation with actual revenues and expenditures for reduced usage of product materials.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments related to the out-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 R4 DMV driver's license documents	\$416,469	\$0	\$416,469	\$0	\$0	0.0
FY 19-20 Salary survey	0	0	1,519	(1,519)	0	0.0
FY 19-20 R5 DMV leased space	(2,218,390)	0	(2,218,390)	0	0	0.0
FY 19-20 R7 MED operations	(298,986)	0	(298,986)	0	0	0.0
FY 19-20 R2 Sales and use tax collection	(223,793)	(223,793)	0	0	0	(4.0)
<b>TOTAL</b>	<b>(\$2,324,700)</b>	<b>(\$223,793)</b>	<b>(\$2,099,388)</b>	<b>(\$1,519)</b>	<b>\$0</b>	<b>(4.0)</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1085 Grants for property tax rent and heat	\$777,853	\$777,853	\$0	\$0	\$0	0.0
HB 19-1234 Regulated marijuana delivery	716,761	0	716,761	0	0	9.3
HB 19-1327 Authorize and tax sports betting refer under TABOR	508,702	(1,739,015)	2,247,717	0	0	11.9
SB18-200 PERA	501,720	163,257	333,664	541	4,258	0.0
HB 20-1257 Supplemental	498,745	0	498,745	0	0	0.0
HB 18-1190 Modify job creation main street revitalization	63,453	63,453	0	0	0	1.4
SB 18-200 PERA unfunded liability	57,337	44,849	12,488	0	0	0.0
HB 19-1255 Mesa Verde National Park license plate	36,379	0	36,379	0	0	0.0
SB 19-167 Honor Colorado professional fire fighters	8,217	0	8,217	0	0	0.0
HB 18-1185 Market sourcing for business income tax	7,891	7,891	0	0	0	0.0
HB 18-1202 Income tax credit leave of absence organ donation	6,290	6,290	0	0	0	0.0
SB 19-256 Electronic documents motor vehicle appropriation	(1,015,552)	0	(1,015,552)	0	0	(0.2)
SB 19-006 Electronic sales and use tax simplification	(817,000)	(817,000)	0	0	0	0.0
SB 19-139 More CO Road and Community Safety Act offices	(609,759)	0	(609,759)	0	0	0.0
HB 19-1090 Publicly licensed marijuana companies	(593,678)	0	(593,678)	0	0	0.0



ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1245 Affordable housing funding from vendor fee	(251,041)	(251,041)	0	0	0	0.3
SB 19-224 Sunset regulated marijuana	(215,463)	0	(215,463)	0	0	0.2
SB 18-141 Income tax checkoff nonprofit donation fund	(112,378)	0	(112,378)	0	0	0.4
HB 19-1039 Identity documents for transgender persons	(58,500)	0	(58,500)	0	0	0.0
HB 18-1217 Income tax credit for employer 529 contributions	(50,000)	0	(50,000)	0	0	0.0
HB 20-1001 Nicotine product regulation	(45,414)	0	(45,414)	0	0	(0.5)
SB 19-054 Military vehicle motor vehicle regulation	(45,000)	0	(45,000)	0	0	0.0
HB 18-1060 Income tax deduction for military retirement	(35,038)	(35,038)	0	0	0	0.0
SB 19-248 State tax system working group	(30,000)	(30,000)	0	0	0	0.0
SB 19-235 Automatic voter registration	(18,000)	0	(18,000)	0	0	0.0
SB 19-249 License business selling its used motor vehicles	(14,000)	0	(14,000)	0	0	0.0
HB 19-1138 Vehicle transfer registration fee credit	(7,200)	0	(7,200)	0	0	0.0
SB 19-035 DOR enforcement measure	(6,750)	0	(6,750)	0	0	0.0
HB 19-1023 Foster children driving licenses	(6,750)	0	(6,750)	0	0	0.0
HB 19-1265 Right-of-way for snowplows in echelon formation	(3,375)	0	(3,375)	0	0	0.0
SB 19-142 Hard cider exemption Wine Industry Development Act	(2,000)	(2,000)	0	0	0	0.0
SB 19-175 Serious bodily injury vulnerable road user penalties	(1,575)	0	(1,575)	0	0	0.0
SB 19-205 Honor service of women veterans	(1,090)	0	(1,090)	0	0	0.0
<b>TOTAL</b>	<b>(\$756,215)</b>	<b>(\$1,810,501)</b>	<b>\$1,049,487</b>	<b>\$541</b>	<b>\$4,258</b>	<b>22.8</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# DEPARTMENT OF STATE

The Secretary of State is one of five independently elected constitutional officers of the State and serves as Colorado's chief elections official and the chief executive officer of the Department of State. The Department of State is broadly responsible for overseeing elections, registering businesses, and publishing information and records for public use. This includes: administering statutory provisions that pertain to elections; managing the statewide voter registration database; implementing the Help America Vote Act; overseeing campaign finance reporting; registering lobbyists and monitoring the filing of required disclosures; collecting, maintaining, and providing public access to business filings; regulating charities and charitable gaming; and certifying notaries public. The Department has four divisions: (1) Administration Division; (2) Information Technology Division; (3) Elections Division; and (4) Business and Licensing Division.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	\$0	\$0	\$8,418,590	\$0
Cash Funds	23,312,773	26,136,661	32,968,106	31,103,181
Reappropriated Funds	0	0	0	0
Federal Funds	0	0	0	0
<b>TOTAL FUNDS</b>	<b>\$23,312,773</b>	<b>\$26,136,661</b>	<b>\$41,386,696</b>	<b>\$31,103,181</b>
Full Time Equiv. Staff	137.4	142.9	145.9	147.0

## GENERAL FACTORS DRIVING THE BUDGET

The Department of State is responsible for administering statewide elections, coordinating local elections, and maintaining a database of business filings required to conduct business in Colorado. Three major factors drive the Department's budget:

- The volume of business filings, the fees of which generate nearly all the cash fund revenue used to support department programs;
- Department-wide expenses related to the administration of elections; and
- Information technology projects required to support elections and business filing processes.

### BUSINESS FILING FEES AND CASH FUND REVENUES

The Department is almost entirely cash-funded through the Department of State (DOS) Cash Fund, created in Section 24-21-104 (3)(b), C.R.S. Cash fund revenues are primarily driven by the volume of business filings and the fees associated with each filing, with an estimated 91.1 percent of all Department revenue accounted for by the business filing fees alone in FY 2019-20. Fees from other programs, including bingo-raffle licensing, campaign finance reporting, and the registration of lobbyists and notaries public, account for the remainder.

Pursuant to Section 24-21-104 (3)(b), C.R.S., the Department of State is authorized to "adjust fees so that the revenue generated from the fees approximates [the Department's] direct and indirect costs" and to manage the uncommitted reserve in the DOS Cash Fund. It is currently Department policy to conduct regular competitiveness reviews when setting fee amounts to keep business filing fees at or near the lowest rate in the country. The following table provides data on total business filings received by the Department, as well as a comparison of revenue from business filing fees with total cash fund revenue:

DOS BUSINESS FILING FEES AND CASH FUND REVENUE			
	TOTAL BUSINESS FILINGS	REVENUE FROM BUSINESS FILING FEES <sup>1</sup>	TOTAL DOS CF REVENUE
FY 2012-13	682,949	\$12,749,090	\$14,838,261
FY 2013-14	696,140	16,335,768	20,869,466
FY 2014-15	748,368	16,981,602	19,878,791
FY 2015-16	782,017	19,097,497	21,462,890
FY 2016-17	822,654	20,048,615	22,446,407
FY 2017-18	878,099	20,744,376	23,075,111
FY 2018-19	922,706	21,565,606	24,225,526
FY 2019-20 <sup>2</sup>	960,791	22,874,992	25,100,625
FY 2020-21 <sup>3</sup>	994,419	23,494,992	26,096,000

<sup>1</sup> This column shows revenues from business filing fees only. It excludes revenue collected by other programs within the Business & Licensing Division.

<sup>2</sup> Total Business Filings for FY 2019-20 are final; revenue data for FY 2019-20 is "near final."

<sup>3</sup> Data for FY 2020-21 is estimated by the Department of State.

## ELECTIONS ADMINISTRATION AND EXPENDITURES

A large proportion of Department expenditures are driven by costs associated with the administration of elections, which can vary based on growth in the population of eligible voters, changes in election laws, and the unique characteristics of each election cycle. The Elections Division accounts for 23.4 percent of the Department's FY 2020-21 appropriation.

The Elections Division has specific appropriations for four types of expenditures in addition to personal services and operating costs:

- 1 The *Help America Vote Act Program* line item uses federal funds and matching cash funds to replace outdated voting technology, ensure accessibility for disabled voters, and institute a statewide voter registration system.
- 2 The *Local Election Reimbursement* line item reimburses counties for costs related to presidential primary elections and statewide ballot issues on a 'per voter' basis. These expenditures are driven by the number of eligible registered voters in each county and the reimbursement rate specified in statute.
- 3 The *Initiative and Referendum* line item funds the Department's contract with Runbeck Election Services (RES) to automate the petition review process. RES utilizes software to scan, review, and match petition signatures and signer information with official voter registration records as part of the Department's review and validation process.
- 4 The *Document Management* line item funds appropriations for the Integrated Documents Solutions expenditures associated with petition verification provided by the Department of Personnel. Expenditures are primarily driven by the number of initiatives received during a given year, and they fluctuate because only TABOR-related initiatives are permitted on the November ballot for odd-year elections. There are no restrictions on the types of initiatives for even-year elections (presidential and gubernatorial election years), so even-year expenditures are generally higher.

## INFORMATION TECHNOLOGY DIVISION PROJECTS

The Information Technology (IT) Division provides most of the technology support for other divisions in the Department.

*Business and Licensing Division:* Most of the business filing processes, public records resources, certification programs, and other services provided by the Department are handled electronically with 2,500 web-based transactions (i.e. filings with fees) processed daily. The IT Division maintains and provides support for the systems used to manage these services.

*Elections Division:* The IT Division currently has 4.75 FTE dedicated exclusively to elections-related projects, including maintaining the federally-mandated system for statewide computerized voter registration and election management (SCORE). SCORE is required by the Help America Vote Act (HAVA) and, while its creation was

primarily funded by the Federal Elections Assistance Fund, the costs of any changes to the system are supported by a combination of the Department of State Cash Fund and remaining HAVA grant funds.

## BUSINESS AND LICENSING DIVISION EXPENDITURES

The Business and Licensing Division accounts for 11.4 percent of the Department's total FY 2020-21 appropriation and is primarily responsible for collecting, maintaining, and providing public access to filings made by businesses and non-profit organizations. The Division also administers the *Business Intelligence Center* (BIC), which launched in FY 2013-14 to aggregate and standardize datasets from across state agencies and improve access to public information. Approximately half of the funding for BIC is used to host the Go Code Colorado statewide application challenge event, where teams of developers and professionals compete to create apps that utilize available data to solve business challenges. Winning apps receive a one-year contract with the state worth \$25,000. BIC also receives financial contributions and in-kind donations from sponsors for Go Code Colorado.

## APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

DEPARTMENT OF STATE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$37,369,416	\$6,300,000	\$31,069,416	\$0	\$0	145.9
SB 19-086	59,360	0	59,360	0	0	0.0
SB 19-202	50,000	0	50,000	0	0	0.0
SB 19-235	67,840	0	67,840	0	0	0.0
HB 19-1007	7,000	0	7,000	0	0	0.0
HB 19-1248	38,160	0	38,160	0	0	0.0
HB 19-1266	16,960	0	16,960	0	0	0.0
HB 19-1278	2,402,243	2,118,590	283,653	0	0	0.0
HB 19-1318	42,650	0	42,650	0	0	0.0
HB 20-1360	1,333,067	0	1,333,067	0	0	0.0
<b>TOTAL</b>	<b>\$41,386,696</b>	<b>\$8,418,590</b>	<b>\$32,968,106</b>	<b>\$0</b>	<b>\$0</b>	<b>145.9</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$41,386,696	\$8,418,590	\$32,968,106	\$0	\$0	145.9
New lease for Department offices	256,834	0	256,834	0	0	0.0
Technical changes	218,574	0	218,574	0	0	0.0
Document management	199,126	0	199,126	0	0	0.0
Centrally appropriated line items	151,123	0	151,123	0	0	0.0
Outreach to eligible but unregistered voters	135,000	0	135,000	0	0	0.0
Indirect cost assessment	9,141	0	9,141	0	0	0.0
Annualize prior year legislation	(8,907,722)	(8,418,590)	(489,132)	0	0	0.0
Annualize prior year budget actions	(2,233,067)	0	(2,233,067)	0	0	0.0
<b>HB 20-1360</b>	<b>\$31,215,705</b>	<b>\$0</b>	<b>\$31,215,705</b>	<b>\$0</b>	<b>\$0</b>	<b>145.9</b>
SB 20-096	132,795	0	132,795	0	0	1.1
HB 20-1379	(245,319)	0	(245,319)	0	0	0.0
<b>TOTAL</b>	<b>\$31,103,181</b>	<b>\$0</b>	<b>\$31,103,181</b>	<b>\$0</b>	<b>\$0</b>	<b>147.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$10,283,515)</b>	<b>(\$8,418,590)</b>	<b>(\$1,864,925)</b>	<b>\$0</b>	<b>\$0</b>	<b>1.1</b>
Percentage Change	(24.8%)	(100.0%)	(5.7%)	n/a	n/a	0.8%

## FY 2018-19 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1360 (Long Bill) modifies the Department's FY 2018-19 appropriation to decrease by \$290,724 cash funds in FY 2018-19 from the Department of State Cash Fund. This change corrects an error that granted an over-appropriation in the Help America Vote Act (HAVA) Program due to the matching local funds for a federal grant

already having received roll forward spending authority in FY 2017-18 through S.B. 19-124 (Supplemental). This change corrects the affected letternote and eliminates the corresponding footnote.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1360 (Long Bill) modifies the Department's FY 2019-20 appropriations to:

- Add a new footnote clarifying that \$900,000 in the Administration Division, Operating Expenses line item is for a public awareness campaign for the March 3, 2020 presidential primary election and the June 30, 2020 primary election. Previous documents referred to the appropriation only as relating to the 2020 presidential primary election; and
- Increase by \$1,333,067 cash funds from the Department of State Cash Fund in the Elections Division, Help America Vote Act (HAVA) Program line item for required matching funds for an election security grant pursuant to the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The CARES Act awarded \$400 million for election security nationwide, including \$6.7 million to Colorado, with the stipulation that states provide a 20 percent match. This change includes a footnote authorizing roll forward spending authority until the close of the FY 2020-21 fiscal year.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**NEW LEASE FOR DEPARTMENT OFFICES:** The appropriation includes an increase of \$256,834 cash funds from the Department of State Cash Fund for the Department's renewed and expanded lease in the 1700 Broadway building in Denver, which houses all Department divisions and employees.

**TECHNICAL CHANGES:** The appropriation includes an increase of \$218,574 cash funds from the Electronic Recording Technology Board Fund to reflect the Electronic Recording Technology Board's adjusted balance. These funds are shown for informational purposes and are continuously appropriated pursuant to Section 24-21-404 (1)(a), C.R.S.

**DOCUMENT MANAGEMENT:** The appropriation includes an increase of \$199,126 cash funds for the Integrated Documents Solutions common policy expenditures associated with petition verification provided by the Department of Personnel.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items for the following: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; PERA direct distributions; workers' compensation; legal services; administrative law judges; payment to risk management and property funds; vehicle lease payments; payments to the Governor's Office of Information Technology (OIT); and CORE operations.

**OUTREACH TO ELIGIBLE BUT UNREGISTERED VOTERS:** The appropriation includes a one-time increase of \$135,000 cash funds from the Department of State Cash Fund to provide outreach to eligible but unregistered voters. Colorado is a member of the Electronic Registration Information Center (ERIC), a multistate nonprofit organization with the sole mission of assisting states to improve the accuracy of voter rolls and increase access to voter registration for all eligible citizens. The additional spending authority will enable the Department to contact all citizens on ERIC's list of eligible, but unregistered voters.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the Department's indirect cost assessment.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$55,941	\$0	\$55,941	\$0	\$0	0.0
SB 17-305 Primary Election Clean-up	(6,300,000)	(6,300,000)	0	0	0	0.0
HB 19-1278 Uniform Election Code	(2,381,693)	(2,118,590)	(263,103)	0	0	0.0
SB 19-235 Automatic Voter Registration	(67,840)	0	(67,840)	0	0	0.0
SB 19-086 Update Business Entity Laws	(59,360)	0	(59,360)	0	0	0.0
SB 19-202 Voters with Disabilities	(50,000)	0	(50,000)	0	0	0.0
HB 19-1318 Clean Campaign Act	(42,650)	0	(42,650)	0	0	0.0
HB 19-1248 Lobbyist Transparency Act	(38,160)	0	(38,160)	0	0	0.0
HB 19-1266 Restore Voting Rights to Parolees	(16,960)	0	(16,960)	0	0	0.0
HB 19-1007 Contribution Limits for County Offices	(7,000)	0	(7,000)	0	0	0.0
<b>TOTAL</b>	<b>(\$8,907,722)</b>	<b>(\$8,418,590)</b>	<b>(\$489,132)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes changes to reflect the out year impact of funding decisions made through the FY 2019-20 appropriation, including:

- A decrease of \$900,000 cash funds for an outreach campaign educating unaffiliated voters about their ballots in the run-up to the March 3, 2020 presidential primary election and the June 30, 2020 state primary election; and
- A decrease of \$1,333,067 cash funds that provided matching funds for a CARES Act election security grant.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# DEPARTMENT OF TRANSPORTATION

The Colorado Department of Transportation (CDOT) is primarily responsible for the construction, maintenance, and operation of Colorado's state highway system, with additional responsibilities relating to aviation, inter-regional bus service, transit, multimodal transportation, and other state transportation systems. Most policy and budget authority for the Department rests with the Transportation Commission, which is composed of eleven governor-appointed members who represent specific districts around the state. Department staff provide support to the Commission as it adopts budgets, establishes policies, and implements Commission decisions. The Department's responsibilities include managing highway construction projects, implementing the State's Highway Safety Plan, operating and maintaining Colorado's 9,074-mile state highway system, providing technical support to local airports regarding aviation safety, distributing aviation fuel tax revenues and discretionary grants to local airports, and distributing grants for multimodal transportation projects.

The Long Bill is a consolidated version of the Transportation Commission's (TC) budget in which much of the TC budget detail is combined into a small number of one-line Long Bill aggregates. Both the Transportation Commission budget and the Long Bill budget are *revenue allocation budgets*, which show how much revenue CDOT expects to receive in FY 2020-21 and how that revenue will be allocated for use in FY 2020-21 and subsequent years. Though much of the revenue will be spent during FY 2020-21, substantial amounts are set aside to be used in the future on projects that take more than one year to complete. Because the CDOT budget is a revenue allocation budget, projected revenue changes are the sole factor changing the total CDOT Long Bill appropriation from year to year. Revenue is broadly defined; it includes money received from state fuel taxes and registration fees, money from federal sources, *appropriations* from the General Fund and from cash funds that are not controlled by CDOT (such as the Marijuana Tax Cash Fund), *transfers* from the General Fund, and revenue from other state sources, such as S.B. 17-267 certificates of participation. General Fund *appropriations* to CDOT are unusual, when they occur they are classified as General Fund. General Fund *transfers* are more frequent and are classified as cash funds because the money is transferred into one of CDOT's cash funds and is then expended from that fund. If a transfer from the General Fund or revenue from another state source is known before the Long Bill is formulated, the resulting revenue is included in the Long Bill. However, revenue from these sources is often not included because it not known when the Long Bill is formulated and the bills that provide the revenue usually do not include informational appropriations that reflect the revenue.

Because the revenue forecast that serves as the basis for the amounts shown in the Long Bill is formulated months in advance of Long Bill passage and is seldom updated, it can be inaccurate. Such is the case with the FY 2020-21 Long Bill; CDOT revenues slumped sharply during the coronavirus pandemic but the Long Bill appropriation was not altered to reflect the decline. The General Fund transfers and other bills that the General Assembly periodically enacts to support CDOT are sometimes further sources of inaccuracy. Examples are S.B. 19-262, which transferred General Fund to CDOT, and S.B. 20-218, which provided CDOT with new fee revenue. These bills did not include informational appropriations to indicate how they altered CDOT revenue. An exception was the transfer to the Multimodal Transportation Options fund in S.B. 18-001, which, in addition to the transfer, required an appropriation that appeared in the Long Bill. This means that the total appropriation for CDOT often excludes the revenue impact of special bills. During the 2020 session, H.B. 20-1377 reduced CDOT revenue by \$50.0 million due to a reduced transfer from the General Fund, but there was no appropriation adjustment.

Most of the revenues that appear in the Long Bill are either federal funds that are not under the control of the General Assembly or continuously appropriated state funds. For FY 2020-21, the General Assembly has appropriation authority over 2.0 percent of the projected revenue shown in the Long Bill. The General Assembly controls revenues for the following Long Bill divisions:

- Administration, where the General Assembly controls the total appropriation, but not the allocation within the division,

- Special Purpose (comprised of the *First Time Drunk Driving Offender Account*, the *Marijuana Impaired Driving Program*, and *Transportation Services for Vulnerable Populations, Including Seniors*), and
- Southwest Chief Rail and Front Range Passenger Rail Commission.

The other 98.0 percent of revenue shown in the Long Bill is federal revenue or continuously appropriated state revenue.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	\$0	\$0	\$0	\$1,000,000
Cash Funds	851,844,882	1,209,197,195	1,483,476,167	1,346,836,605
Reappropriated Funds	8,552,189	6,672,645	7,078,096	7,078,096
Federal Funds	718,109,752	611,918,704	621,466,824	629,577,681
<b>TOTAL FUNDS</b>	<b>\$1,578,506,823</b>	<b>\$1,827,788,544</b>	<b>\$2,112,021,087</b>	<b>\$1,984,492,382</b>
Full Time Equiv. Staff	3,326.8	3,328.8	3,328.8	3,326.0

## GENERAL FACTORS DRIVING THE BUDGET

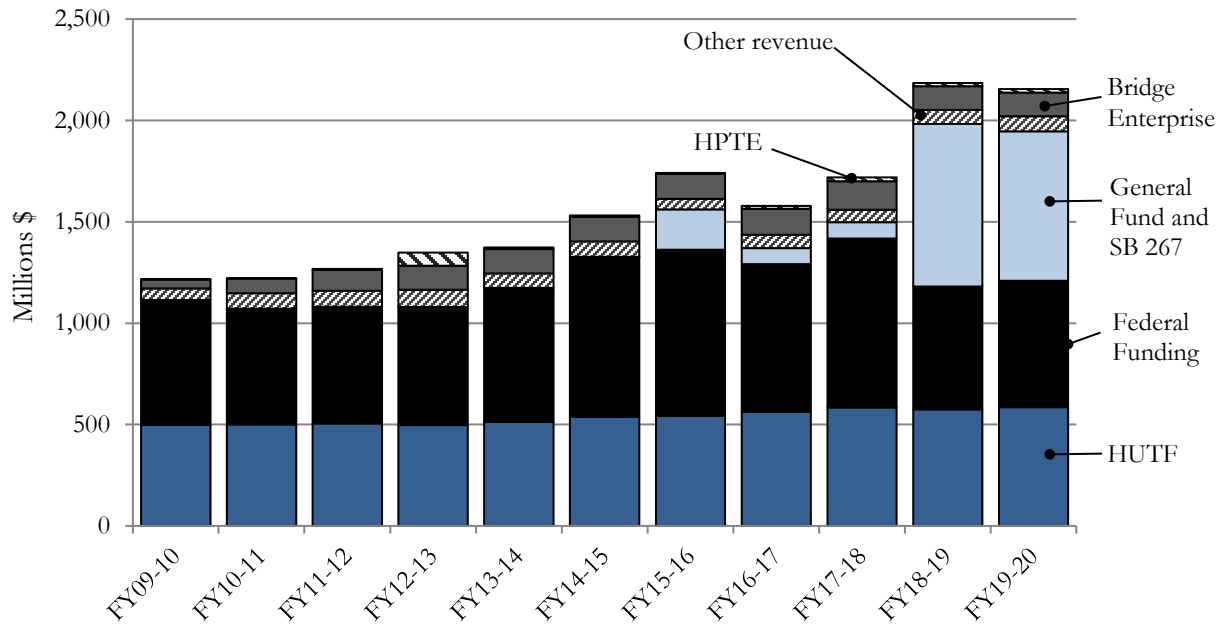
Appropriations for CDOT in FY 2020-21 consist of 0.1 percent General Fund, 67.9 percent cash funds, 0.4 percent reappropriated funds, and 31.7 percent federal funds. Some of the major factors driving the Department's budget are discussed below.

### STATE TRANSPORTATION REVENUES

The primary determinant of CDOT spending is revenue availability. CDOT has numerous projects that it would undertake if it had more revenue. The following diagram shows how the Department's actual revenue has fluctuated since FY 2009-10 due to changing revenue from federal and state sources. The state sources shown in the diagram are (1) the Highway Users Tax Fund (HUTF), which gets most of its revenue from state excise taxes on fuels, registration fees, surcharges, and other miscellaneous sources of revenue, (2) the Bridge Enterprise, which primarily gets revenue from motor vehicle registration fees, (3) the High Performance Transportation Enterprise (HTPE) which gets revenue from user-fees for use of express lanes and fee-for-service payments, (4) transfers from the General Fund and revenue from S.B. 17-267, and (5) various other state revenue sources. Most of CDOT's federal funding comes from four sources: the Federal Highway Administration, which accounts for about 95 percent of the federal total and comes in substantial part from federal fuel excise taxes, the National Highway Traffic Safety Administration, the Federal Transit Administration, and the Federal Aviation Administration.

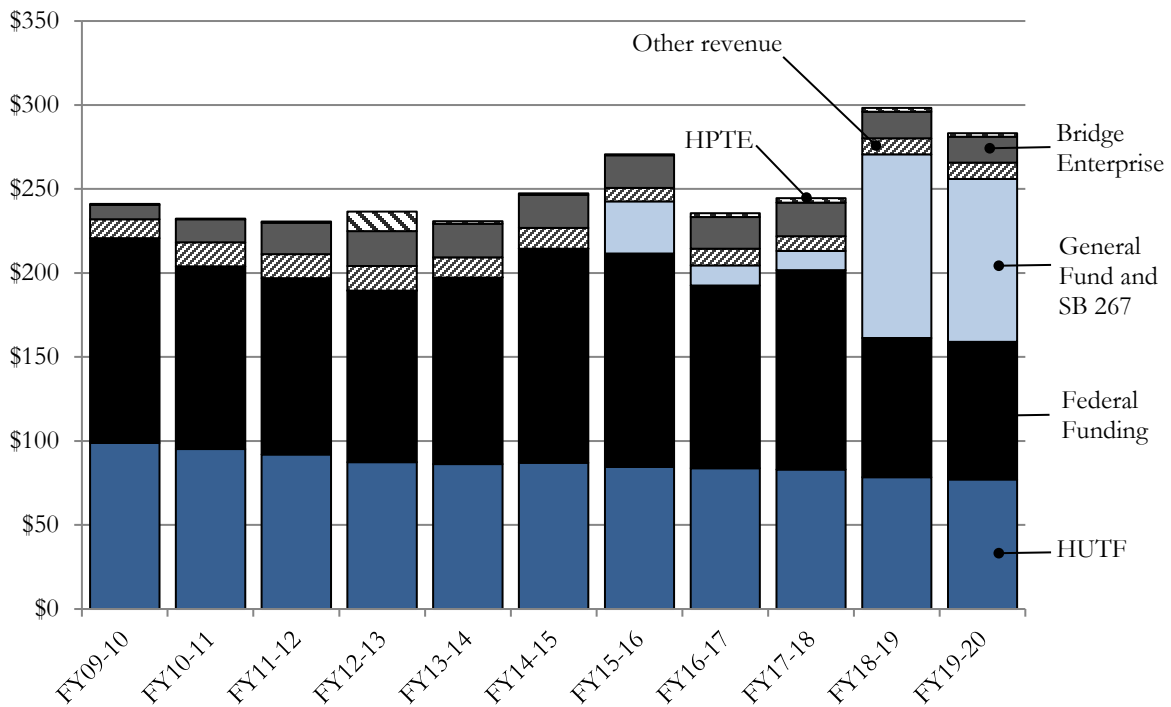


## MAJOR SOURCES OF FUNDING FOR CDOT SINCE FY 2009-10



The following chart shows the same revenue on an inflation adjusted, per Colorado resident basis; it shows the steady decline of the purchasing power of HUTF revenue per Colorado resident, the recent surge in other state funding due to S.B. 17-267 indebtedness and S.B. 18-001 General Fund transfers, and the recent drop in federal funding.

## CDOT FUNDING PER COLORADO RESIDENT, ADJUSTED FOR INFLATION



The declining inflation-adjusted value of HUTF and federal revenue in part reflects the fixed value of state excise taxes on motor fuels, which have equaled 22¢ per gallon of gasoline and 20.5¢ per gallon of diesel fuel since 1991 and 1992 respectively, and federal excise taxes on motor fuels, which have equaled 18.4¢ per gallon of gasoline and

24.4¢ per gallon of diesel fuel since 1993. Taken together, the total excise taxes for Colorado are 40.4¢ per gallon of gasoline and 44.9¢ per gallon of diesel, which places Colorado's tax fuel rates in the lower third of the states.

## RECENT STATE TRANSPORTATION FUNDING

Transportation funding from state sources that are not constitutionally dedicated to CDOT or statutorily dedicated to CDOT on a continuing basis surged in FY 2018-19 and FY 2019-20 due to S.B. 17-267, S.B. 18-001, and S.B. 19-262 but declined for budget balancing reasons in FY 2020-21 due to H.B. 20-1376 (Modify Transportation Funding Mechanisms), H.B. 20-1377 (Fund Controlled Maintenance Projects), and H.B. 20-1381 (Cash Fund Transfers to the General Fund). Funding from the Marijuana Tax Cash Fund increased by \$1.0 million in FY 2019-20 and decreased by \$1.5 million in FY 2020-21, while the FY 2020-21 appropriation included a new \$1.0 million General Fund appropriation for *Transportation Services for Vulnerable Populations, Including Seniors*.

Senate Bill 17-267 provided funding by authorizing the issue of four annual tranches of certificates of participation (COPs), each with a principal value of \$500 million, beginning in FY 2018-19. Senate Bill 18-001 provided transportation funding via transfers from the General Fund in FYs 2018-19 and 2019-20; in addition to CDOT, S.B. 18-001 provided funding to counties and municipalities, as well as multimodal transportation, with the latter funding flowing through CDOT. Senate Bill 19-262 provided an additional transfer from the General Fund in FY 2019-20, with counties and municipalities also benefitting.

The following tables show the net funding that CDOT and others received or will receive from these bills. In FY 2018-19 and FY 2019-20, CDOT effectively paid none of the debt service costs associated with the S.B. 17-267 COPs. However, due to passage of S.B. 20-1377, CDOT will pay \$62.0 million of debt service costs in each of FY 2020-21 and FY 2021-22.

ACTUAL FY 2018-19 CDOT REVENUE FROM SB 17-267 COPs AND GENERAL FUND TRANSFERS PURSUANT TO SB 18-001 (\$ IN MILLIONS)			
REVENUE PROVIDED BY BILL TO	SB 17-267	SB 18-001	TOTAL
CDOT	\$425.50	\$346.50	\$772.00
Multimodal transportation projects (funded through CDOT)	0.00	74.25	74.25
Counties and municipalities	0.00	74.25	74.25
<b>TOTAL</b>	<b>\$425.50</b>	<b>\$495.00</b>	<b>\$920.50</b>

ACTUAL FY 2019-20 CDOT REVENUE FROM SB 17-267 COPs AND GENERAL FUND TRANSFERS PURSUANT TO SB 18-001 AND SB 19-262 (\$ IN MILLIONS)				
REVENUE PROVIDED BY BILL TO	SB 17-267	SB 18-001	SB 19-262	TOTAL
CDOT	\$559.81	\$155.00	\$60.00	\$774.81
Multimodal transportation projects (funded through CDOT)	0.00	22.50	0.00	22.50
Counties and municipalities	0.00	22.50	40.00	62.50
<b>TOTAL</b>	<b>\$559.81</b>	<b>\$200.00</b>	<b>\$100.00</b>	<b>\$859.81</b>

PROJECTED FY 2020-21 CDOT REVENUE FROM SB 17-267 COPs, NET OF CDOT DEBT SERVICE PAYMENTS REQUIRED BY HB 20-1377 AND THE TRANSFER TO THE GENERAL FUND IN HB 20-1381 (\$ IN MILLIONS)				
REVENUE PROVIDED BY BILL TO	SB 17-267	HB 20-1377 DEBT SERVICE PAYMENTS	HB 20-1381 TRANSFER TO GF	TOTAL
CDOT	\$500.00	(\$62.00)	\$0.00	\$438.00
Multimodal transportation projects (funded through CDOT)	0.00	0.00	(10.00)	(10.00)
Counties and municipalities	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>\$500.00</b>	<b>(\$62.00)</b>	<b>(\$10.00)</b>	<b>\$428.00</b>

This table assumes that there will be no premium when SB 17-267 COPs are issued in FY 2020-21, however, a premium is likely.

**EXPLANATION:**

- Pursuant to S.B. 17-267, COPs with a principal value of \$500.0 million were issued in September of FY 2018-19. The issue raised \$545.5 million, with \$120.0 million allocated to state capital projects and \$425.5 allocated to CDOT for transportation projects.
- Senate Bill 19-262 transferred \$60.0 million in FY 2019-20 for transportation projects from the General Fund to CDOT and \$40.0 million from the General Fund to counties and municipalities.
- Pursuant to S.B. 17-267 as amended by S.B. 20-1377, COPs with a principal value of \$500.0 million were issued in June of FY 2019-20, with \$559.8 of the proceeds allocated to CDOT and \$49.0 million allocated to state controlled maintenance projects. Had H.B. 20-1377 not been enacted, all proceeds would have gone to CDOT.
- Under the terms of S.B. 17-267, the General Fund pays the first \$9 million of debt service on S.B. 17-267 COP's, CDOT pays the next \$50 million of debt service (paying from the State Highway Fund), and the General Fund pays debt service above \$59 million. Pursuant to S.B. 18-001 and S.B. 19-263, \$50 million is transferred from the General Fund to CDOT annually to compensate CDOT for its annual \$50 million debt service payment. Thus CDOT effectively pays none of the S.B. 17-267 debt service. House Bill 20-1377 suspended the \$50 million transfer to CDOT for FY 2020-21 and FY 2021-22 and also required CDOT to pay the first \$12 million of debt service above \$59 million for FY 2020-21 and FY 2021-22. Thus H.B. 20-1377 required CDOT to spend \$62 million of its own revenues on debt service for two years.
- H.B. 20-1381 transferred to the General Fund \$10.0 million of yet-to-be-spent multimodal transportation funds that CDOT earlier received from the General Fund through transfers contained in S.B. 18-001.
- Not included in these tables are other relatively small Long Bill changes that provide CDOT with external funding: S.B. 19-207 provided CDOT with an additional one-time \$1.0 million appropriation from the Marijuana Tax Cash Fund; H.B. 20-1360 reduced Marijuana Tax Cash Fund appropriations to CDOT by \$1.5 million but increased General Fund appropriations by \$1.0 million to provide Transportation Services for Vulnerable Populations, Including Seniors.

For more information on these bills, see *Appendix A, Recent Legislation*.

## APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

DEPARTMENT OF TRANSPORTATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION						
HB 19-207	\$2,112,021,087	\$0	\$1,483,476,167	\$7,078,096	\$621,466,824	3,328.8
<b>TOTAL</b>	<b>\$2,112,021,087</b>	<b>\$0</b>	<b>\$1,483,476,167</b>	<b>\$7,078,096</b>	<b>\$621,466,824</b>	<b>3,328.8</b>
FY 2020-21 APPROPRIATION						
<b>REVENUE FORECAST CHANGES</b>						
FY 2019-20 CDOT revenue forecast	\$2,112,021,087	\$0	\$1,483,476,167	\$7,078,096	\$621,466,824	3,328.8
Transportation Enterprise revenue adjustments	5,706,080	0	5,706,080	0	0	0.0
Bridge Enterprise revenue adjustments	2,770,162	0	2,770,162	0	0	0.0
Transportation Services for Vulnerable Populations, Including Seniors	1,000,000	1,000,000	0	0	0	0.0
CM&O <sup>1</sup> revenue adjustments	(113,057,927)	0	(121,168,784)	0	8,110,857	0.0
Multimodal Transportation Fund revenue adjustments	(22,500,000)	0	(22,500,000)	0	0	0.0
Marijuana Tax Cash Fund revenue adjustments	(1,500,000)	0	(1,500,000)	0	0	0.0
Net revenue adjustments	(127,581,685)	1,000,000	(136,692,542)	0	8,110,857	0.0
FY 2020-21 CDOT revenue forecast	1,984,439,402	1,000,000	1,346,783,625	7,078,096	629,577,681	3,328.8
<b>FTE ADJUSTMENTS</b>						<b>(2.8)</b>
<b>OFFSETTING REVENUE ALLOCATION ADJUSTMENTS AMONG DIVISIONS</b>						

DEPARTMENT OF TRANSPORTATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Compensation and benefits adjustments in Administration Division						
Administration effect	198,241	0	198,241	0	0	0.0
CM&O effect	(198,241)	0	(198,241)	0	0	0.0
Non prioritized decision items funded in Administration Division						
Administration effect	74,825	0	74,825	0	0	0.0
CM&O effect	(74,825)	0	(74,825)	0	0	0.0
Other changes in Administration Division						
Administration effect	(1,772,857)	0	(1,772,821)	(36)	0	0.0
CM&O effect	1,772,857	0	1,772,821	36	0	0.0
Administration Division efficiency savings						
Administration effect	(1,124,675)	0	(1,124,675)	0	0	0.0
CM&O effect	1,124,675	0	1,124,675	0	0	0.0
Combined effect of revenue allocation adjustments						
Administration effect	(2,624,466)	0	(2,624,430)	(36)	0	0.0
CM&O effect	2,624,466	0	2,624,430	36	0	0.0
Net effect of offsetting expenditure adjustments	0	0	0	0	0	0.0
<b>SB 20-1360</b>	<b>\$1,984,439,402</b>	<b>\$1,000,000</b>	<b>\$1,346,783,625</b>	<b>\$7,078,096</b>	<b>\$629,577,681</b>	<b>3,326.0</b>
HB 20-1153	52,980	0	52,980	0	0	0.0
<b>TOTAL</b>	<b>\$1,984,492,382</b>	<b>\$1,000,000</b>	<b>\$1,346,836,605</b>	<b>\$7,078,096</b>	<b>\$629,577,681</b>	<b>3,326.0</b>
INCREASE/(DECREASE)						
	(\$127,528,705)	\$1,000,000	(\$136,639,562)	\$0	\$8,110,857	(2.8)
Percentage Change	(6.0%)	n/a	(9.2%)	0.0%	1.3%	(0.1%)

<sup>1</sup>CM&O = Construction, Maintenance, and Operations Division

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**SUMMARY OF FY 2020-21 BUDGET BALANCING APPROPRIATIONS AND OTHER ACTIONS:** The FY 2020-21 appropriation adjustments in the preceding table include a reduction of \$500,000 cash funds that is due to a \$500,000 decrease in appropriations from the Marijuana Tax Cash Fund for the Marijuana Impaired Driving Program. Other CDOT budget balancing actions were contained in special bills and total as much as \$120.5 million, but did not alter CDOT appropriations and thus do not appear in the preceding table. These additional budget balancing measures are in House Bills 20-1376, 20-1377, and 20-1381.<sup>1</sup>

**REVENUE FORECAST CHANGES:** The appropriation includes a net reduction of \$127.6 million for the difference between this year's forecast of next year's Departmental revenue and last year's forecast of this year's Departmental revenue. Long Bill appropriations for the Department are largely informational; rather than limiting the Department's spending levels, they forecast the amount of revenue the Department will receive from a variety of

<sup>1</sup> House Bills 20-1376 and 20-1377 reduced General Fund transfers to CDOT, but did not contain informational appropriations to reflect the CDOT revenue loss. House Bill 20-1376 (Modify Transportation Funding Mechanisms) suspended for two years, beginning in FY 2020-21, an annual \$50.0 million transfer from the General Fund to CDOT that was placed in statute by S.B. 18-001 and S.B. 19-263. This reduces CDOT's revenue by \$50.0 million in FY 2020-21 and FY 2021-22 and frees the saved General Fund to be used elsewhere. The bill also increases by \$12.0 million payments that CDOT must make in FY 2020-21 and FY 2021-22 on S.B. 17-267 indebtedness, thus freeing for use elsewhere an additional \$12.0 million of General Fund revenue that would have otherwise been used to make the debt service payments. House Bill 20-1377 (Fund Controlled Maintenance Projects) directs \$49 million of the proceeds from issue of the second tranche of S.B. 17-267 lease-purchase agreements to the Capital Construction Fund for controlled maintenance projects, thus reducing CDOT's revenue by \$49.0 million and providing the state with \$49.0 million to be expended on capital projects. This is funding that at least in part would have come from the General Fund in the absence of the coronavirus pandemic. House Bill 20-1381 transferred \$10.0 million of yet-to-be-spent multimodal transportation funds that CDOT received from S.B. 18-001 back to the General Fund from which it originally came. However, \$1.0 million of this \$10.0 million was then appropriated as General Fund to CDOT to provide transportation services for vulnerable populations, resulting in a net gain to the General Fund of \$9.0 million. Summing these amounts indicates that CDOT's budget balancing actions provided the state with as much as \$120.5 million (= \$0.5 + 50.0 + 12.0 + 49.0 + 9.0 million) for use in FY 2020-21 with only a \$0.5 million reduction appearing in the Long Bill as an appropriation. Note that the informational Long Bill appropriations in the FY 2021-22 Long Bill will reflect the lost \$50.0 million transfer to CDOT.

sources, such as state fuel taxes and federal grants and show how that revenue is allocated. These forecasts were produced before the start of the 2020 recession and do not reflect the revenue decrease caused by the recession.

**TRANSPORTATION ENTERPRISE REVENUE ADJUSTMENTS:** The appropriation reflects CDOT's pre-recession forecast that FY 2020-21 revenues from the High Performance Transportation Enterprise (HPTE) will be \$5.7 million higher than its November 2018 forecast of FY 2019-20 revenue.

**BRIDGE ENTERPRISE REVENUE ADJUSTMENTS:** The appropriation reflects CDOT's pre-recession forecast that FY 2020-21 revenues from bridge safety surcharge fees will be \$2.8 million higher than its November 2018 forecast of FY 2019-20 Bridge Enterprise revenue.

**TRANSPORTATION SERVICES FOR VULNERABLE POPULATIONS, INCLUDING SENIORS:** The appropriation includes \$1.0 million General Fund for Transportation Services for Vulnerable Populations, Including Seniors.

**CM&O REVENUE ADJUSTMENTS:** (CM&O = Construction, Maintenance, and Operations Division) The appropriation reflects CDOT's pre-recession forecast of changing CM&O revenue, which is largely a reflection of changing transfers from the General Fund. In 2019, CDOT anticipated a FY 2019-20 in which S.B. 17-267 would provide \$500.0 million of revenue and S.B. 18-001 would provide another \$105.0 million for highways. In the 2020 pre-recession forecast, CDOT anticipated a FY 2020-21 in which another \$500.0 million tranche of S.B. 17-267 COPs would be issued but also knew that the \$105.0 million General Fund transfer for highways in S.B. 18-001 was ending. Though the \$60.0 million transfer in S.B. 19-262 is also ending, it was not included in last year's Long Bill estimate of revenue or in CDOT's total FY 2019-20 appropriation so its elimination does not adjust this year's appropriation.

**MULTIMODAL TRANSPORTATION FUND REVENUE ADJUSTMENTS:** The appropriation reflects CDOT's pre-recession forecast of changing multimodal revenue, which in turn reflects the end of the General Fund transfers to CDOT for multimodal transportation that were contained in S.B. 18-001.

**MARIJUANA TAX CASH FUND REVENUE ADJUSTMENTS:** The appropriation reduces CDOT's revenue from the Marijuana Tax Cash Fund by \$1,500,000, which reflects the end of a one-time FY 2019-20 appropriation of \$1.0 million from the Marijuana Tax Cash Fund for the First Time Drunk Driving Offenders Account and a FY 2020-21 budget balancing measure that reduced CDOT's appropriation from the Marijuana Tax Cash Fund for the Marijuana Impaired Driving Program by \$500,000. This is a \$500,000 budget balancing reduction.

**FTE ADJUSTMENTS:** The appropriation reduces CDOT's informational FTE in the Long Bill by a net of 2.8.

**OFFSETTING REVENUE ALLOCATION ADJUSTMENTS AMONG DIVISIONS:** The appropriation changes the allocation of revenue among divisions. For FY 2020-21, these allocation changes increase revenue available to the Construction, Maintenance, and Operations (CM&O) division by \$2.6 million and decrease revenue available to the Administration Division by \$2.6 million for a net-zero department-wide change. The revenue shifts, which are cash funds unless otherwise noted and individually net to zero, are as follows:

- \$198,241 from the CM&O Division to the Administration Division to pay for compensation and benefits adjustments in the Administration Division,
- \$74,825 from the CM&O Division to the Administration Division to pay for non-prioritized decision items that are funded in the Administration Division,
- \$1,772,857 total funds from the Administration division to the CM&O Division (of which all but \$36 is cash funds) for reduced legal services, indirect costs, and payments to OIT in the Administration Division, and
- \$1,124,675 from the Administration Division to the CM&O Division as the Administration Division implements various efficiency measures.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

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# DEPARTMENT OF THE TREASURY

The State Treasurer is one of five independently elected constitutional officers of the state. The Department of the Treasury is responsible for the following primary duties: (1) acts as the State's banker and investment officer, providing investment, accounting, and cash management services and preparing related reports; (2) administers the Unclaimed Property Program; (3) disburses Senior Citizen and Disabled Veteran Property Tax Exemption payments to local governments; (4) provides short-term interest-free financing to school districts by issuing tax and revenue anticipation notes and making loans from the General Fund; (5) assists charter schools with long-term financing by making direct bond payments; (6) distributes Highway Users Tax Fund (HUTF) revenues to counties and municipalities; (7) distributes federal mineral leasing funds received for the State's share of sales, bonuses, royalties, and rentals of public lands within Colorado; (8) manages certain state public financing transactions; and (9) reimburses certain property taxes for real and business personal property destroyed in a natural disaster.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	\$151,447,545	\$400,353,177	\$322,775,495	\$179,288,912
Cash Funds	354,874,465	396,384,849	448,557,959	456,543,447
Reappropriated Funds	17,773,025	17,685,263	73,905,349	17,433,244
Federal Funds	0	0	0	0
<b>TOTAL FUNDS</b>	<b>\$524,095,035</b>	<b>\$814,423,289</b>	<b>\$845,238,803</b>	<b>\$653,265,603</b>
Full Time Equiv. Staff	32.9	32.9	32.9	37.9

## GENERAL FACTORS DRIVING THE BUDGET

Funding for this department consists of 27.4 percent General Fund, 69.9 percent cash funds, and 2.7 percent reappropriated funds.

### SENIOR CITIZEN AND DISABLED VETERAN PROPERTY TAX EXEMPTION

Section 3.5 of Article X of the Colorado Constitution grants a property tax exemption to qualifying senior citizens and disabled veterans. A senior citizen is eligible for the property tax exemption if the property owner-occupier is at least 65 years of age on the assessment date and has occupied the residence for at least ten years, or is the surviving spouse of a person who previously qualified for the exemption. An honorably discharged disabled veteran is eligible for the property tax exemption if the owner-occupier has a 100.0 percent service-connected disability on the assessment date. Property tax is exempted on 50.0 percent of the first \$200,000 of actual property value for qualifying homeowners. The State Treasurer is required to reimburse local governments for the resulting loss of property tax revenues. The Constitution grants the General Assembly the power to raise or lower the amount of residence value that is exempt from taxation.

### HIGHWAY USERS TAX FUND DISBURSEMENTS

The Department distributes revenues from the Highway Users Tax Fund (HUTF) to counties and municipalities for local transportation projects pursuant to statutory formulas. The amounts anticipated to be distributed are reflected as cash funds appropriations within the Special Purpose section of the Long Bill for informational purposes.

### TRANSFERS FROM THE UNCLAIMED PROPERTY TRUST FUND

The Unclaimed Property Program in the Department of the Treasury is established to take custody of dormant or abandoned property and return the property to the rightful owners or heirs. Such intangible property is subject to the custody of the state as unclaimed property and is held in trust on behalf of the owners in the Unclaimed Property

Trust Fund (UPTF). Aside from the payment of claims to owners and heirs, the fund balance covers the costs of administering the program and Department administrative costs.

## DIRECT DISTRIBUTION TO PERA FOR THE UNFUNDED LIABILITY

The Governmental Accounting Standards Board (GASB) requires reporting and credit ratings agencies to judge the credit worthiness of public entities on the satisfaction of the actuarially required contribution or ARC. The ARC is equal to the payment for the "current cost" – full cost of paying the pension liability for current employees in the current year plus a payment for the "legacy cost" or unfunded liability that will fully pay for the unfunded liability within 30 years. Section 24-51-414, C.R.S., as enacted in S.B. 18-200 (Eliminate Unfunded Liability in PERA), requires the State Treasurer to make a \$225.0 million payment to PERA as a direct distribution for the unfunded liability on July 1, 2018, and each July 1<sup>st</sup> thereafter as long as there remains an unfunded liability. Statute specifies that funding is provided from the General Fund, or any other fund. Statute requires that the direct distribution payment be included for informational purposes in the Long Bill. The Direct Distribution payment was suspended for FY 2020-21 pursuant to H.B. 20-1379 (Suspend PERA Direct Distribution for FY 2020-21).

## APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

DEPARTMENT OF THE TREASURY						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$860,894,883	\$338,475,495	\$448,514,039	\$73,905,349	\$0	32.9
SB 19-173	800,000	800,000	0	0	0	0.0
HB 20-1258	43,920	0	43,920	0	0	0.0
HB 20-1360	(16,500,000)	(16,500,000)	0	0	0	0.0
<b>TOTAL</b>	<b>\$845,238,803</b>	<b>\$322,775,495</b>	<b>\$448,557,959</b>	<b>\$73,905,349</b>	<b>\$0</b>	<b>32.9</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$845,238,803	\$322,775,495	\$448,557,959	\$73,905,349	\$0	32.9
Revenue forecast and pass-through adjustments	18,609,479	25,294,407	(4,263,417)	(2,421,511)	0	0.0
Annualize prior year legislation and budget actions	15,170,010	15,208,890	(38,880)	0	0	0.0
Centrally appropriated line items	163,034	(9,322)	172,356	0	0	0.0
Unclaimed property increased workload costs	87,500	0	87,500	0	0	0.0
Unclaimed property technology upgrades	46,000	0	46,000	0	0	0.0
Property Tax Reimbursement for Property Destroyed by Natural Cause	(2,196,828)	(2,196,828)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$877,117,998</b>	<b>\$361,072,642</b>	<b>\$444,561,518</b>	<b>\$71,483,838</b>	<b>\$0</b>	<b>32.9</b>
SB 20-200	1,197,552	1,197,552	0	0	0	5.0
HB 20-1376	0	(12,000,000)	12,000,000	0	0	0.0
HB 20-1379	(225,049,947)	(170,981,282)	(18,071)	(54,050,594)	0	0.0
<b>TOTAL</b>	<b>\$653,265,603</b>	<b>\$179,288,912</b>	<b>\$456,543,447</b>	<b>\$17,433,244</b>	<b>\$0</b>	<b>37.9</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$191,973,200)</b>	<b>(\$143,486,583)</b>	<b>\$7,985,488</b>	<b>(\$56,472,105)</b>	<b>\$0</b>	<b>5.0</b>
Percentage Change	(22.7%)	(44.5%)	1.8%	(76.4%)	n/a	15.2%

<sup>1</sup> Includes \$140,789,518 in FY 2019-20 and \$163,663,420 in FY 2020-21 that is not subject to the statutory restriction on state General Fund appropriations imposed by Section 24-75-201.1, C.R.S.



## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1258 (supplemental bill) modifies FY 2019-20 appropriations to increase cash funds appropriations from the Unclaimed Property Trust Fund by \$43,920 for Unclaimed Property technology upgrades equivalent to those funded in FY 2020-21.

House Bill 20-1360 (Long Bill) modifies FY 2019-20 appropriations to decrease General Fund appropriations by \$16.5 million General Fund for anticipated reversions from S.B. 17-267 (Collateralization Lease Purchase Payments) for FY 2019-20, for budget balancing purposes.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**REVENUE FORECAST AND PASS-THROUGH ADJUSTMENTS:** The appropriation includes an increase of \$18.6 million total funds, including an increase of \$25.3 million General Fund, for revenue forecast, statutory, and other technical adjustments as follow:

REVENUE FORECAST AND PASS-THROUGH ADJUSTMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Homestead exemption forecast adjustment	\$22,873,902	\$22,873,902	\$0	\$0	\$0	0.0
PERA Direct Distribution statewide adjustment	0	2,420,505	0	(2,420,505)	0	0.0
HUTF forecast adjustment	(4,263,417)	0	(4,263,417)	0	0	0.0
Lease purchase adjustment	(1,006)	0	0	(1,006)	0	0.0
<b>TOTAL</b>	<b>\$18,609,479</b>	<b>\$25,294,407</b>	<b>(\$4,263,417)</b>	<b>(\$2,421,511)</b>	<b>\$0</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR LEGISLATION AND BUDGET ACTIONS:** The appropriation includes adjustments for the out-year impact of prior year legislation and budget actions as outlined in the following table.

ANNUALIZE PRIOR YEAR LEGISLATION AND BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 20-1360 Long Bill supplemental	\$16,500,000	\$16,500,000	\$0	\$0	\$0	0.0
SB 18-200 PERA Unfunded Liability	13,930	8,890	5,040	0	0	0.0
SB 19-173 CO Secure Savings Plan Board	(800,000)	(800,000)	0	0	0	0.0
SB 17-267 Sustainability of Rural CO	(500,000)	(500,000)	0	0	0	0.0
HB 20-1258 Supplemental	(43,920)	0	(43,920)	0	0	0.0
<b>TOTAL</b>	<b>\$15,170,010</b>	<b>\$15,208,890</b>	<b>(\$38,880)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes the following adjustments to centrally appropriated line items:

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
CORE	\$184,877	\$83,194	\$101,683	\$0	\$0	0.0
Legal services	51,729	2,631	49,098	0	0	0.0
AED	8,120	5,923	2,197	0	0	0.0
SAED	8,120	5,923	2,197	0	0	0.0
Capitol Complex leased space	5,552	5,552	0	0	0	0.0
Payments to OIT	3,813	1,907	1,906	0	0	0.0
UP leased space	1,733	0	1,733	0	0	0.0
Short-term disability	80	76	4	0	0	0.0
HLD decrease in lieu of personal services base reduction for budget balancing	(77,812)	(77,812)	0	0	0	0.0
Health, life, and dental	(20,067)	(34,809)	14,742	0	0	0.0
PERA Direct Distribution	(2,334)	(1,130)	(1,204)	0	0	0.0
Workers' compensation	(777)	(777)	0	0	0	0.0

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>TOTAL</b>	<b>\$163,034</b>	<b>(\$9,322)</b>	<b>\$172,356</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**UNCLAIMED PROPERTY INCREASED WORKLOAD COSTS:** The appropriation includes an increase of \$87,500 cash funds from the Unclaimed Property Trust Fund, including \$80,000 for printing and postage related to the implementation of S.B. 19-088 (Revised Uniform Unclaimed Property Act), as well as recommendations included in the July 2019, Division of Unclaimed Property performance audit by the Office of the State Auditor. The remaining \$7,500 is for a one-time auction to substantially reduce the existing tangible property inventory.

**UNCLAIMED PROPERTY TECHNOLOGY UPGRADES:** The appropriation includes an increase of \$46,000 cash funds from the Unclaimed Property Trust Fund for an upgrade for the KAPS unclaimed property administration system to provide for the purchase of Onbase, an imaging system that will create a seamless, paperless IT system and process, and Lexis/Nexis services to process small value claims.

**PROPERTY TAX REIMBURSEMENT FOR PROPERTY DESTROYED BY NATURAL CAUSE:** The appropriation includes a decrease of \$2.2 million General Fund. This decrease provides an ongoing, nominal appropriation of \$25,000 which will be increased through supplemental appropriations as necessary to fund this item.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# CAPITAL CONSTRUCTION

This section summarizes state agency capital construction and controlled maintenance appropriations. Many of the appropriations are from the Capital Construction Fund. The primary source of revenue to the Capital Construction Fund is transfers and appropriations from the General Fund.

## DEPARTMENT BUDGET: RECENT APPROPRIATIONS

FUNDING SOURCE	FY 2017-18	FY 2018-19 <sup>1</sup>	FY 2019-20	FY 2020-21
Capital Construction Fund	\$96,400,857	\$155,389,364	\$185,066,899	\$52,988,768
Cash Funds	71,680,140	194,459,733	184,234,179	75,421,368
Reappropriated Funds	10,000,000	18,743,326	8,911,836	0
Federal Funds	15,559,090	5,179,500	14,596,563	35,497,456
<b>TOTAL FUNDS</b>	<b>\$193,640,087</b>	<b>\$373,771,923</b>	<b>\$392,809,477</b>	<b>\$163,907,592</b>

<sup>1</sup> Excludes statutory funding provided in S.B. 17-267 of \$120,680,645 total funds, including \$119,922,495 Capital Construction Fund, \$120,000 cash funds, and \$638,150 federal funds.

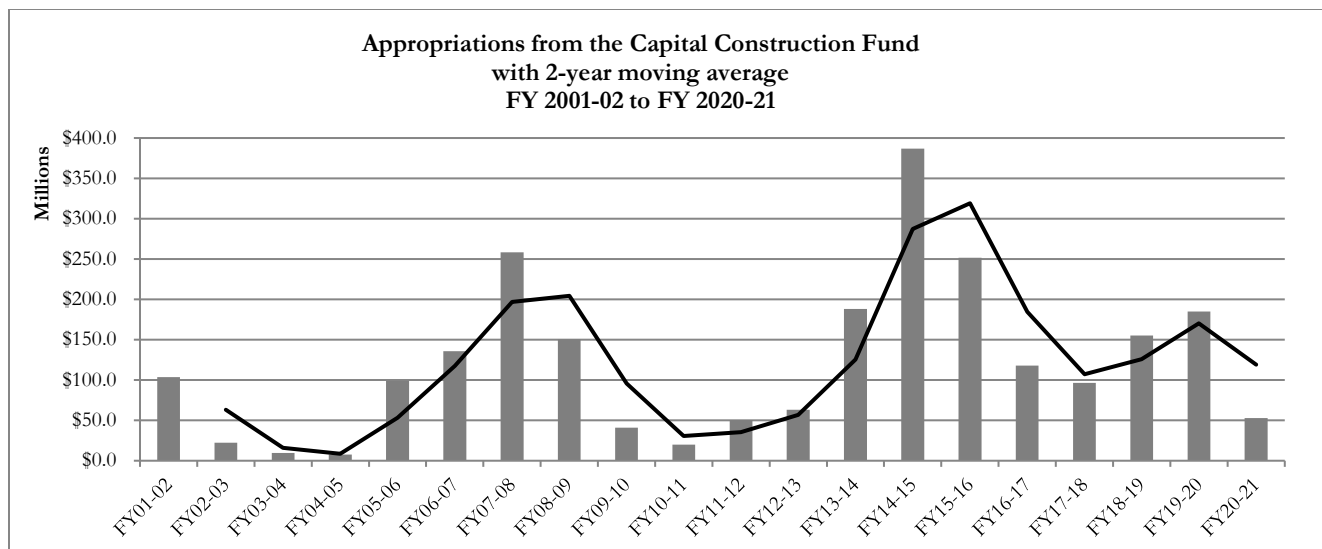
## GENERAL FACTORS DRIVING THE BUDGET

### REVENUE AVAILABLE FOR CAPITAL CONSTRUCTION

The amounts appropriated for capital construction are based on the recommendations of the Capital Development Committee and the most recent forecast of revenues available for capital construction given constitutional and statutory constraints on the budget. The Capital Construction Fund, almost entirely originating as General Fund, provides the primary source of capital construction funding for most state agencies and, therefore, appropriations from the Fund vary substantially from year to year.

For FY 2020-21, the Long Bill, H.B. 20-1360, provides \$2,988,768 Capital Construction Fund (state funding from the General Fund). House Bill 20-1408, *Distribution of H.B. 20-1377 Capital Construction Fund Money*, provides \$49.0 million Capital Construction Fund from proceeds in excess of \$500.0 million from the issuance of the second tranche of S.B. 17-267 lease purchase agreements for controlled maintenance and capital renewal projects. Additionally, S.B. 20-003, *State Parks Improvement Appropriation*, provides \$1.0 million Capital Construction Fund.

The following chart outlines appropriations from the Capital Construction Fund since FY 2001-02 and includes a two-year moving average trend line. The chart reflects FY 2018-19 appropriations, excluding S.B. 17-267 funding.



# APPROPRIATION HIGHLIGHTS - 2020 LEGISLATIVE SESSION

CAPITAL CONSTRUCTION						
	TOTAL FUNDS	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$260,727,454	\$168,460,533	\$72,690,215	\$8,911,836	\$10,664,870	0.0
SB 19-172	0	0	0	0	0	0.0
HB 20-1259	132,082,023	16,606,366	111,543,964	0	3,931,693	0.0
<b>TOTAL</b>	<b>\$392,809,477</b>	<b>\$185,066,899</b>	<b>\$184,234,179</b>	<b>\$8,911,836</b>	<b>\$14,596,563</b>	<b>0.0</b>
FY 2020-21 APPROPRIATION BY CATEGORY AND BILL:						
Controlled maintenance	\$2,043,768	\$2,043,768	\$0	\$0	\$0	0.0
Capital Renewal and Recapitalization	52,125,414	500,000	20,132,958	0	31,492,456	0.0
Capital Expansion	51,555,815	0	51,555,815	0	0	0.0
Information Technology Projects	8,135,795	445,000	3,685,795	0	4,005,000	0.0
<b>HB 20-1360</b>	<b>\$113,860,792</b>	<b>\$2,988,768</b>	<b>\$75,374,568</b>	<b>\$0</b>	<b>\$35,497,456</b>	<b>0.0</b>
SB 20-003	1,000,000	1,000,000	0	0	0	0.0
HB 20-1408	49,046,800	49,000,000	46,800	0	0	0.0
<b>TOTAL</b>	<b>\$163,907,592</b>	<b>\$52,988,768</b>	<b>\$75,421,368</b>	<b>\$0</b>	<b>\$35,497,456</b>	<b>0.0</b>
FY 2020-21 APPROPRIATION BY PROJECT:						
<b>Controlled Maintenance</b>						
Level 1 Controlled Maintenance (HB 20-1360)	\$2,043,768	\$2,043,768	\$0	\$0	\$0	0.0
Level 1 Controlled Maintenance (HB 20-1408)	42,400,998	42,400,998	0	0	0	0.0
<b>Subtotal - Controlled Maintenance</b>	<b>\$44,444,766</b>	<b>\$44,444,766</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>Capital Renewal and Recapitalization</b>						
CDPHE: Superfund-Colorado Smelter	\$35,000,000	\$0	\$3,507,544	\$0	\$31,492,456	0.0
DNR: Infrastructure and Real Property Maint	9,869,600	0	9,869,600	0	0	0.0
HED: UNC Boiler #3 Replace (HB 20-1408)	3,826,172	3,779,372	46,800	0	0	0.0
HED: CSU Shepardson Building Renov/Add	3,100,000	0	3,100,000	0	0	0.0
HED: ASU Plachy Hall HVAC Upgrade and Replacement (HB 20-1408)	2,819,630	2,819,630	0	0	0	0.0
DHS: Facility Upgrades, Fitzsimons VCLC	969,346	0	969,346	0	0	0.0
DHS: Regional Center Capital Improvements	745,110	0	745,110	0	0	0.0
HistCO: Regional Museum Preservation Projects	700,000	0	700,000	0	0	0.0
DHS: Facility Upgrades, McCandless VCLC	546,892	0	546,892	0	0	0.0
CDOT: Highway Construction Projects	500,000	500,000	0	0	0	0.0
DHS: Facility Upgrades, Homelake VCLC	390,754	0	390,754	0	0	0.0
DHS: Facility Upgrades, Rifle VCLC	303,712	0	303,712	0	0	0.0
<b>Subtotal - Capital Renewal and Recapitalization</b>	<b>\$58,771,216</b>	<b>\$7,099,002</b>	<b>\$20,179,758</b>	<b>\$0</b>	<b>\$31,492,456</b>	<b>0.0</b>
<b>Capital Expansion</b>						
HED: UC-Denver Anschutz - Center for Personalized Medicine and Behavioral Health	\$21,859,241	\$0	\$21,859,241	\$0	\$0	0.0
HED: CSU National Western Center Lease Purchase Payments	18,696,574	0	18,696,574	0	0	0.0
DNR: Property Acquisitions and Improvements	11,000,000	0	11,000,000	0	0	0.0
DNR: Fishers Peak State Park (SB 20-003)	1,000,000	1,000,000	0	0	0	0.0
<b>Subtotal - Capital Expansion</b>	<b>\$52,555,815</b>	<b>\$1,000,000</b>	<b>\$51,555,815</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>Information Technology Projects</b>						
GOV-OcHI: Health Information Technology Roadmap Projects	\$4,450,000	\$445,000	\$0	\$0	\$4,005,000	0.0
DPS: Colorado Crime Information Center (CCIC) Migration	2,110,795	0	2,110,795	0	0	0.0

CAPITAL CONSTRUCTION						
	TOTAL FUNDS	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
CDPHE: Newborn Screening Laboratory Information Management System	1,575,000	0	1,575,000	0	0	0.0
<b>Subtotal - Information Technology Projects</b>	<b>\$8,135,795</b>	<b>\$445,000</b>	<b>\$3,685,795</b>	<b>\$0</b>	<b>\$4,005,000</b>	<b>0.0</b>
<b>TOTAL</b>	<b>\$163,907,592</b>	<b>\$52,988,768</b>	<b>\$75,421,368</b>	<b>\$0</b>	<b>\$35,497,456</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	(\$228,901,885)	(\$132,078,131)	(\$108,812,811)	(\$8,911,836)	\$20,900,893	0.0
Percentage Change	(58.3%)	(71.4%)	(59.1%)	(100.0%)	143.2%	n/a

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1259 adds \$132.1 million total funds, including \$16.6 million Capital Construction Fund, \$111.5 million cash funds, and \$3.9 million federal funds, as follows:

- An additional \$110,630,982 cash funds spending authority from donations and bond financing, for an expansion of the Subsurface Frontiers Building project, to construct a new building to house research laboratories, imaging labs, classrooms, conference rooms, offices and associated spaces at the Colorado School of Mines.
- An additional \$9,829,233 total funds, including \$5,897,540 Capital Construction Fund and \$3,931,693 federal funds, for the Trails Modernization project at the Department of Human Services.
- An additional \$4,070,023 Capital Construction Fund to replace the entire restroom vent stack and plumbing system, including asbestos abatement, for the Capitol Annex building at 1375 Sherman Street, managed by Capitol Complex in the Department of Personnel.
- An additional \$2,821,506 Capital Construction Fund for a single-phase capital renewal project to replace the mechanical system in the laboratory building at 8100 E. Lowry Blvd. for the Department of Public Health and Environment.
- An additional \$2,248,189 Capital Construction Fund that includes: \$1.6 million to expand the scope of anti-climb/anti-cut perimeter fencing to include an additional five facilities; \$473,000 to pay for the higher than originally anticipated cost of anti-climb/anti-cut perimeter fencing at the Mount View Youth Service Center; and \$200,000 to pay for an additional component of the Phase III fire detection system at the Grand Mesa Youth Service Center in the Department of Human Services.
- An additional \$1,569,108 Capital Construction Fund for the HR Works information technology project at the Department of Personnel.
- An additional \$912,982 cash funds from the Newborn Screening and Genetic Counseling Cash Funds to pay for a new generator needed to support the expanded Newborn Screening Laboratory for the Department of Public Health and Environment.

## FY 2020-21 APPROPRIATION HIGHLIGHTS BY CATEGORY

**CONTROLLED MAINTENANCE:** The appropriation includes \$44.4 million Capital Construction Fund, including \$2.0 million in H.B. 20-1360 and \$42.4 million in H.B. 20-1408, for 30 Level 1 Controlled Maintenance projects and two appropriations for the State Architect's Emergency Controlled Maintenance Account.

**CAPITAL RENEWAL AND RECAPITALIZATION:** The appropriation includes \$58.8 million total funds, including \$7.1 million Capital Construction Fund, \$20.2 million cash funds, and \$31.5 million federal funds, for three state-funded and nine cash-funded capital renewal and recapitalization projects.

**CAPITAL EXPANSION:** The appropriation includes \$52.6 million total funds, including \$1.0 million Capital Construction Fund and \$51.6 million cash funds, for one state-funded and three cash funded new building or other capital expansion projects.

**INFORMATION TECHNOLOGY PROJECTS:** The appropriation includes \$8.1 million total funds, including \$445,000 Capital Construction Fund from the Information Technology Capital Account within the Capital Construction Fund, \$3.7 million cash funds, and \$4.0 million federal funds. The appropriation funds one state-funded and two cash-funded information technology projects.

## FY 2020-21 APPROPRIATION HIGHLIGHTS BY PROJECT

### CONTROLLED MAINTENANCE

**LEVEL I CONTROLLED MAINTENANCE:** The appropriation provides \$44.4 million Capital Construction Fund for 31 controlled maintenance items.

### CAPITAL RENEWAL AND RECAPITALIZATION

**CDPHE: SUPERFUND-COLORADO SMELTER:** The appropriation provides \$35.0 million total funds, including \$3.5 million cash funds from the Hazardous Substance Response Fund and \$31.5 million federal funds for remediation of heavy metal contamination from the residential area around the Colorado Smelter Superfund site in Pueblo.

**DNR: INFRASTRUCTURE AND REAL PROPERTY MAINTENANCE:** The appropriation provides \$9.9 million cash funds from the Wildlife Cash Fund and Highway Users Tax Fund for recapitalization projects at state parks, wildlife areas, fishing units, and administrative areas.

**HED: UNC BOILER #3 REPLACEMENT:** The appropriation adds \$3.9 million total funds, including \$3.8 million Capital Construction Fund and \$46,800 cash funds (unspecified) for this capital renewal project.

**HED: CSU SHEPARDSON BUILDING RENOVATION AND ADDITION:** The appropriation provides \$3.1 million cash funds from donations and institutional reserves to provide partial funding for the third phase of a three-phase project that renovates the existing 46,800-GSF Shepardson Building at Colorado State University. This building houses the Departments of Horticulture and Landscape Architecture and the project constructs additions totaling 47,998 GSF.

**HED: ASU PLACHY HALL HVAC UPGRADE AND REPLACEMENT:** The appropriation provides \$2.8 million Capital Construction Fund for the second phase of a two-phase capital renewal project that repairs and upgrades the HVAC system for the 118,054-GSF Plachy Hall, Adams State's main athletic facility.

**DHS: FACILITY UPGRADES, FITZSIMONS VCLC:** The appropriation provides \$969,346 cash funds from the Central Fund for Veterans Community Living Centers for deferred maintenance including HVAC upgrades, water tank replacement, and demolition and replacement of a storage building.

**DHS: REGIONAL CENTER CAPITAL IMPROVEMENTS:** The appropriation provides \$745,110 cash funds from the Regional Center Depreciation Account within the Capital Construction Fund for regional centers' recapitalization projects.

**HISTCO: REGIONAL MUSEUM PRESERVATION PROJECTS:** The appropriation provides \$700,000 cash funds, including \$600,000 from limited gaming revenues and \$100,000 from revenue generated at community museums and historic sites, for ongoing preservation projects at History Colorado museums and historic sites.

**DHS: FACILITY UPGRADES, MCCANDLESS VCLC:** The appropriation provides \$546,892 cash funds from the Central Fund for Veterans Community Living Centers for deferred maintenance including a recreation room bathroom remodel, space conversion to office and nursing services office space, janitor closets remodel, and overflow parking lot paving.

**CDOT: HIGHWAY CONSTRUCTION PROJECTS:** The appropriation provides \$500,000 Capital Construction Fund for this item funded annually since FY 2010-11 with Referendum C, General Fund Exempt funds.

**DHS: FACILITY UPGRADES, HOMELAKE VCLC:** The appropriation provides \$390,754 cash funds from the Central Fund for Veterans Community Living Centers for deferred maintenance including sidewalk portion replacement, concrete ramps and stairways for six cottages, partial parking lot paving, and replacement of vinyl tile and carpet.

**DHS: FACILITY UPGRADES, RIFLE VCLC:** The appropriation provides \$303,712 cash funds from the Central Fund for Veterans Community Living Centers for construction of a maintenance building to replace temporary storage units.

#### CAPITAL EXPANSION

**HED: UC-DENVER ANSCHUTZ - CENTER FOR PERSONALIZED MEDICINE AND BEHAVIORAL HEALTH:** The appropriation provides \$21.9 million cash funds from bond revenue repaid from grants and from donations and institutional reserves. This represents the third and final phase of a project for construction of a ten-story, 390,914-GSF building on the Anschutz Medical Campus to house the Colorado Center for Personalized Medicine, the Colorado Clinical and Translational Sciences Institute, the Simulation Educational HUB, a data center, office space, and other education, research, and clinical space for the School of Medicine, The Colorado School of Public Health, and the University of Colorado Hospital.

**HED: CSU NATIONAL WESTERN CENTER LEASE PURCHASE PAYMENTS:** The appropriation provides \$18.7 million cash funds from the National Western Center Trust Fund (NWCTF) for certificate of participation or COP payments for construction of buildings on the National Western Center campus and affiliated buildings on the Colorado State University campus. Cash funds in the NWCTF are from a General Fund transfer to the NWCTF pursuant to Section 23-31-902 (3), C.R.S.

**DNR: PROPERTY ACQUISITIONS AND IMPROVEMENTS:** The appropriation provides \$11.0 million cash funds from the Wildlife Cash Fund to acquire interests in real property to protect, preserve, enhance, and manage wildlife and the environment.

**DNR: FISHERS PEAK STATE PARK (S.B. 20-003):** The appropriation provides \$1.0 million Capital Construction Fund for infrastructure projects for Fishers Peak State Park.

#### INFORMATION TECHNOLOGY PROJECTS

**GOV-OEHI: HEALTH INFORMATION TECHNOLOGY ROADMAP PROJECTS:** The appropriation provides \$4.5 million total funds, including \$445,000 from the Capital Construction Fund and \$4.0 million federal funds, for the third phase of a three-phase project for the Office of eHealth Innovation to implement initiatives of the Colorado Health IT Roadmap. Funding will be used for a variety of purposes, including data quality improvement, reporting upgrades, integrating cost and quality data, and using information technology to benefit coordination of care.

**DPS: COLORADO CRIME INFORMATION CENTER (CCIC) MIGRATION:** The appropriation provides \$2.1 million cash funds from the CBI Identification Unit Fund for the Department of Public Safety to migrate the Colorado Crime Information Center Criminal Justice Information Services system to a cloud-based solution.

**CDPHE: NEWBORN SCREENING LABORATORY INFORMATION MANAGEMENT SYSTEM:** The appropriation provides \$1.6 million cash funds from the Newborn Screening and Genetic Counseling Cash Funds to replace and upgrade the laboratory information management system that supports the Colorado Newborn Screening Program in the Department of Public Health and Environment.

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## **PART III**

# **DEPARTMENT DETAILS**

# Details

## DEPARTMENT OF AGRICULTURE

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

DEPARTMENT OF AGRICULTURE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$55,738,636</b>	<b>\$12,098,767</b>	<b>\$37,231,886</b>	<b>\$2,498,418</b>	<b>\$3,909,565</b>	<b>297.8</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Commissioner's Office & Administrative Services	15,478,801	3,812,009	9,890,610	1,654,418	121,764	18.7
Agricultural Services	18,278,051	4,999,124	10,139,637	799,000	2,340,290	146.3
Agricultural Markets Division	5,408,179	1,084,031	3,338,418	45,000	940,730	41.7
Brand Board	4,437,516	0	4,437,516	0	0	59.0
Colorado State Fair	9,975,705	1,000,000	8,975,705	0	0	26.9
Conservation Board	2,160,384	1,203,603	450,000	0	506,781	5.2
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$54,671,192	\$11,975,760	\$36,289,774	\$2,496,093	\$3,909,565	290.8
SB 19-158	123,007	123,007	0	0	0	1.6
SB 19-186	239,592	0	239,592	0	0	0.6
SB 19-220	406,470	0	406,470	0	0	4.6
HB 20-1242	298,375	0	296,050	2,325	0	0.2
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$55,813,584</b>	<b>\$11,344,162</b>	<b>\$37,944,741</b>	<b>\$2,575,576</b>	<b>\$3,949,105</b>	<b>299.5</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Commissioner's Office & Administrative Services	13,910,984	3,175,270	8,822,499	1,791,576	121,639	18.7
Agricultural Services	19,656,081	5,040,282	11,453,985	784,000	2,377,814	147.5
Agricultural Markets Division	5,462,693	1,050,007	3,469,815	0	942,871	42.2
Brand Board	4,781,836	0	4,781,836	0	0	59.0
Colorado State Fair	9,841,606	875,000	8,966,606	0	0	26.9
Conservation Board	2,160,384	1,203,603	450,000	0	506,781	5.2
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360	56,294,892	11,501,978	38,268,233	2,575,576	3,949,105	299.5
HB 20-1379	(481,308)	(157,816)	(323,492)	0	0	0.0
<b>INCREASE/(DECREASE)</b>	<b>\$74,948</b>	<b>(\$754,605)</b>	<b>\$712,855</b>	<b>\$77,158</b>	<b>\$39,540</b>	<b>1.7</b>
Percentage Change	0.1%	(6.2%)	1.9%	3.1%	1.0%	0.6%

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of Agriculture are annotated with the "(I)". For additional information, see Appendix K.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$5,820,686	\$0	\$1,871,581	\$0	\$3,949,105

# DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

## COMMISSIONER'S OFFICE AND ADMINISTRATIVE SERVICES

The Commissioner's Office, in conjunction with the Colorado Agricultural Commission, is responsible for the development and implementation of agricultural policies throughout Colorado. The Administrative Services section provides administrative and technical support for Department programs including accounting, budgeting, and human resources. Funding sources for this division include General Fund, various cash funds, and federal grants. Reappropriated funds are received from various cash funds within the Department for centrally appropriated line items.

COMMISSIONER'S OFFICE AND ADMINISTRATIVE SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 APPROPRIATION:</b>						
SB 19-207	\$15,461,338	\$3,810,009	\$9,877,472	\$1,652,093	\$121,764	18.7
SB 19-158	2,000	2,000	0	0	0	0.0
SB 19-186	1,000	0	1,000	0	0	0.0
SB 19-220	1,000	0	1,000	0	0	0.0
HB 20-1242	13,463	0	11,138	2,325	0	0.0
<b>TOTAL</b>	<b>\$15,478,801</b>	<b>\$3,812,009</b>	<b>\$9,890,610</b>	<b>\$1,654,418</b>	<b>\$121,764</b>	<b>18.7</b>
<b>FY 2020-21 APPROPRIATION:</b>						
FY 2019-20 Appropriation	\$15,478,801	\$3,812,009	\$9,890,610	\$1,654,418	\$121,764	18.7
Centrally appropriated line items	250,443	103,523	142,240	4,805	(125)	0.0
Indirect cost adjustment	186,066	0	58,116	127,950	0	0.0
Industrial hemp compliance funding	21,521	0	14,793	6,728	0	0.0
Refinance General Fund with Ag Management Fund	0	(436,440)	436,440	0	0	0.0
Annualize prior year budget actions and legislation	(1,225,842)	(130,474)	(1,093,043)	(2,325)	0	0.0
Unused spending authority	(303,165)	0	(303,165)	0	0	0.0
Implementing budget efficiencies	(15,532)	(15,532)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$14,392,292</b>	<b>\$3,333,086</b>	<b>\$9,145,991</b>	<b>\$1,791,576</b>	<b>\$121,639</b>	<b>18.7</b>
HB 20-1379	(481,308)	(157,816)	(323,492)	0	0	0.0
<b>TOTAL</b>	<b>\$13,910,984</b>	<b>\$3,175,270</b>	<b>\$8,822,499</b>	<b>\$1,791,576</b>	<b>\$121,639</b>	<b>18.7</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$1,567,817)</b>	<b>(\$636,739)</b>	<b>(\$1,068,111)</b>	<b>\$137,158</b>	<b>(\$125)</b>	<b>0.0</b>
Percentage Change	(10.1%)	(16.7%)	(10.8%)	8.3%	(0.1%)	0.0%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1242 modifies FY 2019-20 appropriations to provide an increase of \$13,463 cash funds from the Industrial Hemp Registration Cash Fund to pay centrally appropriated costs for additional personal services costs to address federal oversight of industrial hemp cultivation and processing.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to the following centrally appropriated line items: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; PERA direct distributions; shift differential; workers' compensation; legal services; administrative law judges; payment to risk management and property funds; vehicle lease payments; payments to the Governor's Office of Information Technology (OIT); and CORE operations. The appropriation includes a Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction.

**INDIRECT COST ADJUSTMENT:** The appropriation includes a net increase in the department's indirect cost assessment.

**INDUSTRIAL HEMP COMPLIANCE FUNDING:** The appropriation includes an increase of \$21,521 total funds including \$43,061 cash funds from the Industrial Hemp Registration Program Cash Fund and an internal transfer of \$6,728 reappropriated funds for indirect cost assessments to allow the Colorado Department of Agriculture to provide satisfactory regulation to industrial hemp cultivation and processing. The funding allows the Department to comply with temporary rules as the final rules are promulgated by the U.S. Department of Agriculture.

**REFINANCE GENERAL FUND WITH AG MANAGEMENT FUND:** The FY 2020-21 appropriation adjustments includes a net \$0 total funds change consisting of a decrease of \$436,440 General Fund and an increase of \$436,440 cash funds from the Agriculture Management Fund.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS AND LEGISLATION:** The appropriation includes several changes to reflect the out year impact of prior year budget actions and legislation, including:

ANNUALIZE PRIOR YEAR BUDGET ACTIONS AND LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY19-20 R1 Biological pest control	\$428	\$428	\$0	\$0	\$0	0.0
Prior year salary survey	(1,212,807)	(130,902)	(1,081,905)	0	0	0.0
HB20-1242 Supplemental Bill	(13,463)	0	(11,138)	(2,325)	0	0.0
<b>TOTAL</b>	<b>(\$1,225,842)</b>	<b>(\$130,474)</b>	<b>(\$1,093,043)</b>	<b>(\$2,325)</b>	<b>\$0</b>	<b>0.0</b>

**UNUSED SPENDING AUTHORITY:** The appropriation includes a reduction of \$303,165 from various cash funds in FY 2020-21 to remove unused spending authority within the budget.

**IMPLEMENTING BUDGET EFFICIENCIES:** The appropriation includes a decrease of \$15,532 General Fund to reflect a one-time reduction in required expenditures to support staff at the state insectary because of a federal grant awarded to fund the position.

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## AGRICULTURAL SERVICES

This section includes four major Department program areas administered by their respective divisions:

- **ANIMAL INDUSTRY DIVISION** programs monitor the health of livestock and other animals used in various agricultural fields; prevent and control livestock disease; license and inspect pet animal facilities; implement pest control; and investigate animal cruelty claims.
- **PLANT INDUSTRY DIVISION** programs manage statewide pest control programs; register pesticides and pesticide applicators; inspect plants and plant byproducts intended for domestic use or international export; oversee the organic certification program; and inspect nursery stock for quality and health.
- **INSPECTION AND CONSUMER SERVICES DIVISION** programs ensure compliance with product quality standards through licensing and inspection, the certification of large and small commercial weights and measurements devices, and analysis of fertilizer and animal feed for chemical contaminants.

- CONSERVATION SERVICES DIVISION programs provide technical and financial support, leadership, statewide coordination, and regulatory oversight to public and private landowners on an array of natural resource management challenges including noxious weed management and biological pest control.

The primary source of revenue supporting appropriations for these divisions is from license and inspection fees, which are credited to several cash funds, as well as General Fund.

AGRICULTURAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$17,228,070	\$4,878,117	\$9,210,663	\$799,000	\$2,340,290	139.3
SB 19-158	121,007	121,007	0	0	0	1.6
SB 19-186	238,592	0	238,592	0	0	0.6
SB 19-220	405,470	0	405,470	0	0	4.6
HB 20-1242	284,912	0	284,912	0	0	0.2
<b>TOTAL</b>	<b>\$18,278,051</b>	<b>\$4,999,124</b>	<b>\$10,139,637</b>	<b>\$799,000</b>	<b>\$2,340,290</b>	<b>146.3</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$18,278,051	\$4,999,124	\$10,139,637	\$799,000	\$2,340,290	146.3
Industrial hemp compliance funding	564,981	0	564,981	0	0	1.0
Annualize prior year budget actions and legislation	560,902	114,926	445,976	0	0	1.2
Indirect cost adjustment	237,305	0	199,781	0	37,524	0.0
Hemp Center of Excellence funding	103,403	0	103,403	0	0	0.0
Pet animal care facilities licensing	77,050	0	77,050	0	0	0.0
Lab equipment maintenance agreement	48,000	0	48,000	0	0	0.0
Implementing budget efficiencies	(198,611)	(73,768)	(124,843)	0	0	(1.0)
Unused spending authority	(15,000)	0	0	(15,000)	0	0.0
<b>HB 20-1360</b>	<b>\$19,656,081</b>	<b>\$5,040,282</b>	<b>\$11,453,985</b>	<b>\$784,000</b>	<b>\$2,377,814</b>	<b>147.5</b>
<b>TOTAL</b>	<b>\$19,656,081</b>	<b>\$5,040,282</b>	<b>\$11,453,985</b>	<b>\$784,000</b>	<b>\$2,377,814</b>	<b>147.5</b>
<b>INCREASE/(DECREASE)</b>	<b>\$1,378,030</b>	<b>\$41,158</b>	<b>\$1,314,348</b>	<b>(\$15,000)</b>	<b>\$37,524</b>	<b>1.2</b>
Percentage Change	7.5%	0.8%	13.0%	(1.9%)	1.6%	0.8%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1242 modifies FY 2019-20 appropriations to provide an increase of \$284,912 cash funds from the Industrial Hemp Registration Cash Fund to address requirements for the federal oversight of industrial hemp cultivation and processing.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**INDUSTRIAL HEMP COMPLIANCE FUNDING:** The appropriation includes an increase of \$564,981 cash funds from Industrial Hemp Registration Program Cash Fund to allow the Colorado Department of Agriculture to provide satisfactory regulation to industrial hemp cultivation and processing. The funding allows the Department to comply with temporary rules as the final rules are promulgated by the U.S. Department of Agriculture.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS AND LEGISLATION:** The appropriation includes several changes to reflect the out-year impact of prior year budget actions and legislation, including:

ANNUALIZE PRIOR YEAR BUDGET ACTIONS AND LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY19-20 Salary survey	\$623,696	\$114,926	\$508,770	\$0	\$0	0.0
SB19-186 Expand Ag Chemical Regulation	326,484	0	326,484	0	0	1.4
HB20-1242 Supplemental Bill	(284,912)	0	(284,912)	0	0	(0.2)
SB19-220 Regulate Hemp like Federal Govt	(104,366)	0	(104,366)	0	0	0.0
<b>TOTAL</b>	<b>\$560,902</b>	<b>\$114,926</b>	<b>\$445,976</b>	<b>\$0</b>	<b>\$0</b>	<b>1.2</b>

**INDIRECT COST ADJUSTMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

**HEMP CENTER OF EXCELLENCE FUNDING:** The appropriation includes \$103,403 from the Industrial Hemp Registration Program Cash Fund to hire a contractor to establish a Center of Excellence for industrial hemp in Colorado, which will allow the Colorado to apply for grant funding from the U.S. Department of Agriculture for hemp research and education for producers.

**PET ANIMAL CARE FACILITIES LICENSING:** The appropriation includes an increase of \$77,050 cash funds from the Pet Animal Care Facilities Fund to implement a qualifying education course and continued competency requirement to qualify for a Pet Animal Care Facilities Act (PACFA) license. The funding is to acquire licenses for software and other testing-related operating costs and does not affect the current fees charged to licensees.

**LAB EQUIPMENT MAINTENANCE AGREEMENT:** The appropriation includes \$48,000 in ongoing cash funds from the Marijuana Tax Cash Fund to support the maintenance costs of critical marijuana pesticide testing instrumentation.

**IMPLEMENTING BUDGET EFFICIENCIES:** The appropriation includes a decrease of \$198,611 total funds, including \$73,768 General Fund, and 1.0 FTE, including: (1) the renegotiation of laboratory equipment maintenance contracts, (2) a one-time reduction to equipment leasing, and (3) a one-time FTE funding reduction to the State Insectary to account for federal funding expected to fund the position in FY 2020-21.

**UNUSED SPENDING AUTHORITY:** The appropriation includes a reduction of \$15,000 reappropriated funds to remove unused spending authority within the budget.

## AGRICULTURAL MARKETS DIVISION

The Agricultural Markets Division is organized into two subdivisions:

- The AGRICULTURAL MARKETS subdivision provides support and marketing assistance to Colorado's agricultural businesses competing in local, national, and international arenas by coordinating market orders, promoting Colorado agricultural products, and assisting start-up or expanding food processing companies within the state. The primary sources of funding are the Wine Industry Development Cash Fund, the Agriculture Value-Added Development Cash Fund, and General Fund.
- The AGRICULTURAL PRODUCTS INSPECTION subdivision administers the agricultural products inspection program, which performs mandatory and non-mandatory inspections to determine the grade, size, and quality of fruits and vegetables. This subdivision receives \$200,000 General Fund in addition to cash funds from agricultural products inspection fees.

AGRICULTURAL MARKETS DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$5,408,179	\$1,084,031	\$3,338,418	\$45,000	\$940,730	41.7
<b>TOTAL</b>	<b>\$5,408,179</b>	<b>\$1,084,031</b>	<b>\$3,338,418</b>	<b>\$45,000</b>	<b>\$940,730</b>	<b>41.7</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$5,408,179	\$1,084,031	\$3,338,418	\$45,000	\$940,730	41.7
Annualize prior year budget actions and legislation	148,205	15,976	132,229	0	0	0.0
Indirect cost adjustment	20,672	0	18,531	0	2,141	0.5
Unused spending authority	(64,363)	0	(19,363)	(45,000)	0	0.0
Funding for ag marketing support	(50,000)	(50,000)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$5,462,693</b>	<b>\$1,050,007</b>	<b>\$3,469,815</b>	<b>\$0</b>	<b>\$942,871</b>	<b>42.2</b>
<b>TOTAL</b>	<b>\$5,462,693</b>	<b>\$1,050,007</b>	<b>\$3,469,815</b>	<b>\$0</b>	<b>\$942,871</b>	<b>42.2</b>
<b>INCREASE/(DECREASE)</b>	<b>\$54,514</b>	<b>(\$34,024)</b>	<b>\$131,397</b>	<b>(\$45,000)</b>	<b>\$2,141</b>	<b>0.5</b>
Percentage Change	1.0%	(3.1%)	3.9%	(100.0%)	0.2%	1.2%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS AND LEGISLATION:** The appropriation includes an increase of \$148,205 cash funds to reflect the out year impact of prior year budget actions and legislation.

**INDIRECT COST ADJUSTMENT:** The appropriation includes a net increase in the department's indirect cost assessment.

**UNUSED SPENDING AUTHORITY:** The appropriation includes a reduction of \$64,363 total funds for grants made to the Department by the Office of Economic Development and International Trade (OEDIT).

**FUNDING FOR AG MARKETING SUPPORT:** The appropriation includes a one-time decrease of \$50,000 General Fund originally appropriated to provide technical support and the costs associated with sending international trade delegations to encourage expansion of international and domestic markets with active contracts with Colorado agriculture products producers. This action was taken for budget balancing purposes.

## BRAND BOARD

The Brand Board serves the livestock industry and assists the public with problems related to livestock management. This division administers and records livestock brands and inspects cattle, horse, and alternative livestock brands (such as deer and elk) to verify ownership at the time of sale, transport, or slaughter. The Brand Board is cash funded from the Brand Inspection Fund and the Alternative Livestock Farm Cash Fund. Pursuant to Section 35-41-101 (5)(a), C.R.S., the Brand Board constitutes an enterprise for the purposes of Section 20 of Article X of the State Constitution (TABOR).

BRAND BOARD						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$4,437,516	\$0	\$4,437,516	\$0	\$0	59.0
<b>TOTAL</b>	<b>\$4,437,516</b>	<b>\$0</b>	<b>\$4,437,516</b>	<b>\$0</b>	<b>\$0</b>	<b>59.0</b>

BRAND BOARD						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$4,437,516	\$0	\$4,437,516	\$0	\$0	59.0
Annualize prior year budget actions and legislation	316,305	0	316,305	0	0	0.0
Indirect cost adjustment	28,015	0	28,015	0	0	0.0
<b>HB 20-1360</b>	<b>\$4,781,836</b>	<b>\$0</b>	<b>\$4,781,836</b>	<b>\$0</b>	<b>\$0</b>	<b>59.0</b>
<b>TOTAL</b>	<b>\$4,781,836</b>	<b>\$0</b>	<b>\$4,781,836</b>	<b>\$0</b>	<b>\$0</b>	<b>59.0</b>
<b>INCREASE/(DECREASE)</b>	\$344,320	\$0	\$344,320	\$0	\$0	0.0
Percentage Change	7.8%	n/a	7.8%	n/a	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS AND LEGISLATION:** The appropriation includes an increase of \$316,305 cash funds to reflect the out year impact of prior year salary survey.

**INDIRECT COST ADJUSTMENT:** The appropriation includes a net increase in the Board’s indirect cost assessment.

## COLORADO STATE FAIR

The Colorado State Fair Authority, administered by an eleven-member board, plans and operates the annual fair event, as well as non-fair events held at the fairgrounds during the rest of the year. The State Fair is designated as a Type 1 agency pursuant to Section 35-65-401 (1)(a), C.R.S., and is almost entirely cash funded from the Colorado State Fair Authority Cash Fund and the Agriculture Management Fund. Revenue is from fees collected during the State Fair and from other non-fair events. These fees fund personal services and operating expenses. The State Fair receives \$875,000 General Fund for Future Farmers of America and 4-H program support, program costs, and facility maintenance.

COLORADO STATE FAIR						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$9,975,705	\$1,000,000	\$8,975,705	\$0	\$0	26.9
<b>TOTAL</b>	<b>\$9,975,705</b>	<b>\$1,000,000</b>	<b>\$8,975,705</b>	<b>\$0</b>	<b>\$0</b>	<b>26.9</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$9,975,705	\$1,000,000	\$8,975,705	\$0	\$0	26.9
Annualize prior year budget actions and legislation	124,601	0	124,601	0	0	0.0
Indirect cost adjustment	16,300	0	16,300	0	0	0.0
Reduce 4H and FFA at the State Fair	(275,000)	(125,000)	(150,000)	0	0	0.0
<b>HB 20-1360</b>	<b>\$9,841,606</b>	<b>\$875,000</b>	<b>\$8,966,606</b>	<b>\$0</b>	<b>\$0</b>	<b>26.9</b>
<b>TOTAL</b>	<b>\$9,841,606</b>	<b>\$875,000</b>	<b>\$8,966,606</b>	<b>\$0</b>	<b>\$0</b>	<b>26.9</b>
<b>INCREASE/(DECREASE)</b>	(\$134,099)	(\$125,000)	(\$9,099)	\$0	\$0	0.0
Percentage Change	(1.3%)	(12.5%)	(0.1%)	0.0%	0.0%	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS AND LEGISLATION:** The appropriation includes several changes to reflect the out year impact of prior year salary survey.



**INDIRECT COST ADJUSTMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

**REDUCE 4-H AND FFA AT STATE FAIR:** The appropriation includes a reduction of \$275,000 total funds, including \$125,000 General Fund and \$150,000 cash funds from the Marijuana Tax Cash Fund. This is a budget balancing action.

## CONSERVATION BOARD

The Conservation Board is responsible for providing administrative and fiscal oversight to Colorado's 77 conservation districts. The Board also coordinates federal programs related to natural resource issues, provides guidance on stream bank erosion, and assists farmers and ranchers in implementing a variety of water and energy practices. The primary sources of funding are General Fund, federal grant dollars from the U.S. Department of Agriculture Natural Resources Conservation Service, and cash funds transferred from the Severance Tax Operational Fund.

CONSERVATION BOARD						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$2,160,384	\$1,203,603	\$450,000	\$0	\$506,781	5.2
<b>TOTAL</b>	<b>\$2,160,384</b>	<b>\$1,203,603</b>	<b>\$450,000</b>	<b>\$0</b>	<b>\$506,781</b>	<b>5.2</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$2,160,384	\$1,203,603	\$450,000	\$0	\$506,781	5.2
<b>HB 20-1360</b>	<b>\$2,160,384</b>	<b>\$1,203,603</b>	<b>\$450,000</b>	<b>\$0</b>	<b>\$506,781</b>	<b>5.2</b>
<b>TOTAL</b>	<b>\$2,160,384</b>	<b>\$1,203,603</b>	<b>\$450,000</b>	<b>\$0</b>	<b>\$506,781</b>	<b>5.2</b>
<b>INCREASE/(DECREASE)</b>	\$0	\$0	\$0	\$0	\$0	0.0
Percentage Change	0.0%	0.0%	0.0%	n/a	0.0%	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**NO CHANGES:** The appropriation does not contain changes from the FY 2019-20 appropriation.

# Details

## DEPARTMENT OF CORRECTIONS

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

DEPARTMENT OF CORRECTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$998,134,380</b>	<b>\$891,299,801</b>	<b>\$47,901,602</b>	<b>\$51,757,665</b>	<b>\$7,175,312</b>	<b>6,316.3</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Management	252,743,037	241,705,225	6,896,095	248,805	3,892,912	101.0
Institutions	493,530,877	491,871,459	1,659,418	0	0	4,779.6
Support Services	54,159,353	52,132,147	859,456	1,167,750	0	241.2
Inmate Programs	46,563,538	43,013,283	1,488,528	1,968,480	93,247	553.0
Community Services	62,574,113	60,282,784	10,000	2,242,231	39,098	437.2
Parole Board	2,294,903	2,294,903	0	0	0	21.3
Correctional Industries	64,954,373	0	15,673,919	46,130,399	3,150,055	155.0
Canteen Operations	21,314,186	0	21,314,186	0	0	28.0
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$975,865,876	\$872,913,457	\$47,619,442	\$51,757,665	\$3,575,312	6,266.8
SB 15-067	505,907	505,907	0	0	0	0.0
HB 15-1043	9,397,689	9,397,689	0	0	0	0.0
HB 15-1229	5,076	5,076	0	0	0	0.0
HB 15-1341	487,701	487,701	0	0	0	0.0
HB 16-1080	131,181	131,181	0	0	0	0.0
SB 18-119	34,677	34,677	0	0	0	0.0
HB 18-1200	22,072	22,072	0	0	0	0.0
SB 19-008	492,750	492,750	0	0	0	1.6
SB 19-143	25,200	25,200	0	0	0	0.0
SB 19-165	293,774	293,774	0	0	0	1.8
HB 19-1064	784,542	784,542	0	0	0	9.1
HB 20-1019	5,511,167	5,450,197	60,970	0	0	37.0
HB 20-1243	4,576,768	4,355,578	221,190	0	0	0.0
HB 20-1360	0	(3,600,000)	0	0	3,600,000	0.0
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$949,981,500</b>	<b>\$841,277,322</b>	<b>\$47,652,059</b>	<b>\$51,364,657</b>	<b>\$9,687,462</b>	<b>6,463.1</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Management	205,346,530	192,158,474	6,446,339	248,805	6,492,912	101.7
Institutions	497,928,795	496,257,556	1,671,239	0	0	4,911.8
Support Services	53,400,551	51,479,984	826,186	1,094,381	0	242.2
Inmate Programs	47,033,178	44,309,134	2,050,690	580,107	93,247	563.3
Community Services	58,467,552	54,820,272	0	3,608,182	39,098	439.6
Parole Board	2,251,902	2,251,902	0	0	0	21.5
Correctional Industries	64,105,804	0	15,210,417	45,833,182	3,062,205	155.0
Canteen Operations	21,447,188	0	21,447,188	0	0	28.0
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360	\$959,178,595	\$850,333,207	\$47,793,269	\$51,364,657	\$9,687,462	6,463.1
HB 16-1080	170,900	170,900	0	0	0	0.0
SB 18-119	39,334	39,334	0	0	0	0.0
HB 18-1077	69,856	69,856	0	0	0	0.0

DEPARTMENT OF CORRECTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 18-1200	34,677	34,677	0	0	0	0.0
SB 19-172	26,220	26,220	0	0	0	0.0
HB 19-1250	39,701	39,701	0	0	0	0.0
HB 20-1153	118,646	0	118,646	0	0	0.0
HB 20-1379	(9,388,586)	(9,128,730)	(259,856)	0	0	0.0
HB 20-1398	(307,843)	(307,843)	0	0	0	0.0
<b>Increase/(Decrease)</b>	<b>(\$48,152,880)</b>	<b>(\$50,022,479)</b>	<b>(\$249,543)</b>	<b>(\$393,008)</b>	<b>\$2,512,150</b>	<b>146.8</b>
Percentage Change	(4.8%)	(5.6%)	(0.5%)	(0.8%)	35.0%	2.3%

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of Corrections are annotated with the "(I)". For additional information, see Appendix K.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$31,134,650	\$0	\$21,447,188	\$0	\$9,687,462

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### MANAGEMENT

The Management Division contains the main departmental management functions, including the Executive Director's Office, the External Capacity Subprogram, and the Inspector General Subprogram. The Executive Director's Office provides general administrative oversight for the Department. The External Capacity Subprogram reimburses private prisons and local jails and monitors private prisons. The Inspector General Subprogram is responsible for investigating crimes in prisons. Cash funds and reappropriated funds are primarily from Correctional Industries and Canteen sales revenue, the State Criminal Alien Assistance Program Cash Fund, the Victims Assistance and Law Enforcement Fund, and from revenues received for monitoring private prisons that house out-of-state offenders in Colorado.

MANAGEMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 APPROPRIATION:</b>						
SB 19-207	\$254,095,752	\$246,857,940	\$6,696,095	\$248,805	\$292,912	91.9
HB 19-1064	765,347	765,347	0	0	0	9.1
HB 20-1019	649,780	649,780	0	0	0	0.0
HB 20-1243	(6,367,842)	(6,567,842)	200,000	0	0	0.0
HB 20-1360	3,600,000	0	0	0	3,600,000	0.0
<b>TOTAL</b>	<b>\$252,743,037</b>	<b>\$241,705,225</b>	<b>\$6,896,095</b>	<b>\$248,805</b>	<b>\$3,892,912</b>	<b>101.0</b>
<b>FY 2020-21 APPROPRIATION:</b>						
FY 2019-20 Appropriation	\$252,743,037	\$241,705,225	\$6,896,095	\$248,805	\$3,892,912	101.0
CARES Act funding	6,200,000	0	0	0	6,200,000	0.0
House inmates at Centennial South	2,840,601	2,840,601	0	0	0	1.0
Line item funding adjustments	264,000	264,000	0	0	0	0.0
Centrally appropriated line items	(18,405,504)	(18,414,190)	8,686	0	0	0.0
External Capacity Reductions	(12,562,816)	(12,562,816)	0	0	0	0.0
Annualize prior year budget actions	(10,999,544)	(10,682,312)	(317,232)	0	0	0.0
Annualize prior year legislation	(3,718,329)	(118,329)	0	0	(3,600,000)	0.9

MANAGEMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Community provider rate	(772,082)	(772,082)	0	0	0	0.0
Close Skyline Correctional Center	(386,143)	(386,143)	0	0	0	0.0
Reduce beds at La Vista Correctional Facility	(114,494)	(114,494)	0	0	0	0.0
Annual SB 15-211 depreciation-lease equivalent payments	(89,413)	(89,413)	0	0	0	0.0
Temporarily suspend restorative justice program	(75,000)	(75,000)	0	0	0	(1.2)
<b>HB 20-1360</b>	<b>\$214,924,313</b>	<b>\$201,595,047</b>	<b>\$6,587,549</b>	<b>\$248,805</b>	<b>\$6,492,912</b>	<b>101.7</b>
HB 20-1153	118,646	0	118,646	0	0	0.0
HB 20-1379	(9,388,586)	(9,128,730)	(259,856)	0	0	0.0
HB 20-1398	(307,843)	(307,843)	0	0	0	0.0
<b>TOTAL</b>	<b>\$205,346,530</b>	<b>\$192,158,474</b>	<b>\$6,446,339</b>	<b>\$248,805</b>	<b>\$6,492,912</b>	<b>101.7</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$47,396,507)</b>	<b>(\$49,546,751)</b>	<b>(\$449,756)</b>	<b>\$0</b>	<b>\$2,600,000</b>	<b>0.7</b>
Percentage Change	(18.8%)	(20.5%)	(6.5%)	0.0%	66.8%	0.7%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

Senate Bill 20-1019 increases the Division's FY 2019-20 appropriation to pay part of the cost of opening and operating two of the three towers of the empty prison on the south campus of Centennial Correctional Facility ("Centennial South"). House Bill 20-1243 increases the Division's FY 2019-20 appropriation to pay additional costs of opening and operating the prison. The increases in H.B. 20-1243 are more than offset by reduced payments to private prisons, resulting in a net reduction of \$6.4 million total funds and \$6.6 million cash funds.

House Bill 20-1360 increases federal funds by \$3.6 million to reflect revenue from the CARES Act.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**CARES ACT FUNDING:** The appropriation includes an increase of \$6.2 million federal funds to reflect revenue from the federal CARES Act.

**HOUSE INMATES AT CENTENNIAL SOUTH:** The appropriation includes \$2.8 million of additional funding to operate two of the towers of Centennial South during FY 2020-21.

**LINE ITEM FUNDING ADJUSTMENTS:** The appropriation moves funding for (1) lease space, (2) the *Transitional Work Program*, and (3) drug and alcohol treatment for parolees and transition offenders among line items.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes the following adjustments to centrally appropriated line items: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; shift differential; workers' compensation; legal services; payment to risk management and property funds; and lease payments. For budget balancing purposes, the appropriation includes a \$19,465,170 General Fund Health, Life, and Dental decrease adjustment in lieu of a General Fund, personal services base reduction.

**EXTERNAL CAPACITY REDUCTIONS:** The appropriation reduces external capacity appropriations by \$12.6 million General Fund to pay for placements of inmates in private prisons and in county jails. The reduction reflects the closure of a private prison in Colorado Springs and recent reductions in parole revocations.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 La Vista staff increase	\$11,847	\$11,847	\$0	\$0	\$0	0.0
Prior Year Salary Survey	(10,748,333)	(10,431,101)	(317,232)	0	0	0.0
FY 19-20 Leap year adjustments	(263,058)	(263,058)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$10,999,544)</b>	<b>(\$10,682,312)</b>	<b>(\$317,232)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$59,970	\$59,970	\$0	\$0	\$0	0.0
SB 19-165 Increase parole board membership	50	50	0	0	0	0.0
HB 20-1243 One time federal CARES Act funding	(3,600,000)	0	0	0	(3,600,000)	0.0
HB 19-1064 Victim notification of criminal proceedings	(178,349)	(178,349)	0	0	0	0.9
<b>TOTAL</b>	<b>(\$3,718,329)</b>	<b>(\$118,329)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$3,600,000)</b>	<b>0.9</b>

**COMMUNITY PROVIDER RATE:** For budget balancing purposes, the appropriation includes a \$772,082 General Fund reduction due to a one percent reduction of the rate paid to private prisons and county jails for housing DOC inmates.

**CLOSE SKYLINE CORRECTIONAL CENTER:** For budget balancing purposes, the appropriation includes a \$386,143 General Fund reduction in anticipation of the January 2021 closure of Skyline Correctional Center, a minimum security prison in Canon City. The closure is the result of an expected lower population of inmates.

**REDUCE BEDS AT LA VISTA CORRECTIONAL FACILITY:** For budget balancing purposes, the appropriation includes a \$114,494 General Fund reduction to reflect the closure in July 2020 of 147 beds at La Vista Correctional Facility, which holds female inmates. The closure is the result of an expected lower population of inmates.

**ANNUAL SB 15-211 DEPRECIATION-LEASE EQUIVALENT PAYMENTS:** The appropriation reduces the depreciation-lease equivalent payments required by S.B. 15-211 by \$89,413. This is the reduction required by existing statute.

**TEMPORARILY SUSPEND RESTORATIVE JUSTICE PROGRAM:** For budget balancing purposes, the appropriation temporarily suspends restorative justice meetings, which involve victim-offender dialogues that take place within the Department's facilities. The Department expects its facilities to be closed to outside visitors for an extended period. The adjustment reduces appropriations by \$75,000 General Fund.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## INSTITUTIONS

The Institutions division includes all cost centers directly attributable to the operation of state-owned and operated correctional facilities. Included are costs for utilities, maintenance, housing and security, food, medical, laundry, case management, mental health, and the costs of running the Youthful Offender System. The cash funds are primarily from fees charged for inmate medical costs and utilities costs associated with Correctional Industries programs. The federal funds that periodically appear in this division are from donated U.S. Department of Agriculture foods.

INSTITUTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$470,676,610	\$469,017,192	\$1,659,418	\$0	\$0	4,744.0
SB 15-067	505,907	505,907	0	0	0	0.0
HB 15-1043	9,397,689	9,397,689	0	0	0	0.0
HB 15-1229	5,076	5,076	0	0	0	0.0
HB 15-1341	487,701	487,701	0	0	0	0.0
HB 16-1080	131,181	131,181	0	0	0	0.0
SB 18-119	34,677	34,677	0	0	0	0.0
HB 18-1200	22,072	22,072	0	0	0	0.0
SB 19-008	491,940	491,940	0	0	0	1.6
HB 19-1064	13,050	13,050	0	0	0	0.0
HB 20-1019	4,627,528	4,627,528	0	0	0	34.0
HB 20-1243	10,737,446	10,737,446	0	0	0	0.0
HB 20-1360	(3,600,000)	(3,600,000)	0	0	0	0.0
<b>TOTAL</b>	<b>\$493,530,877</b>	<b>\$491,871,459</b>	<b>\$1,659,418</b>	<b>\$0</b>	<b>\$0</b>	<b>4,779.6</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$493,530,877	\$491,871,459	\$1,659,418	\$0	\$0	4,779.6
Annualize prior year budget actions	8,343,741	8,331,482	12,259	0	0	0.8
House inmates at Centennial South	8,331,654	8,331,654	0	0	0	156.6
Annualize prior year legislation	5,873,762	5,871,429	2,333	0	0	0.4
Medical caseload	292,998	292,998	0	0	0	0.0
Cost increases from other state agencies	71,511	71,511	0	0	0	0.0
Indirect cost adjustment	176	0	176	0	0	0.0
Hepatitis C treatment cost reduction	(10,145,760)	(10,145,760)	0	0	0	0.0
Budget balancing actions	(6,200,000)	(6,200,000)	0	0	0	0.0
Close Skyline Correctional Center	(1,360,346)	(1,360,346)	0	0	0	(17.6)
Reduce beds at La Vista Correctional Facility	(614,529)	(614,529)	0	0	0	(8.0)
FY 20-21 Funding already in statute from 5-year sentencing bills	(380,688)	(380,688)	0	0	0	0.0
Community provider rate	(192,342)	(192,342)	0	0	0	0.0
Eliminate unused cash-fund appropriations	(2,947)	0	(2,947)	0	0	0.0
<b>HB 20-1360</b>	<b>\$497,548,107</b>	<b>\$495,876,868</b>	<b>\$1,671,239</b>	<b>\$0</b>	<b>\$0</b>	<b>4,911.8</b>
HB 16-1080	170,900	170,900	0	0	0	0.0
SB 18-119	39,334	39,334	0	0	0	0.0
HB 18-1077	69,856	69,856	0	0	0	0.0
HB 18-1200	34,677	34,677	0	0	0	0.0
SB 19-172	26,220	26,220	0	0	0	0.0
HB 19-1250	39,701	39,701	0	0	0	0.0
<b>TOTAL</b>	<b>\$497,928,795</b>	<b>\$496,257,556</b>	<b>\$1,671,239</b>	<b>\$0</b>	<b>\$0</b>	<b>4,911.8</b>
<b>INCREASE/(DECREASE)</b>	<b>\$4,397,918</b>	<b>\$4,386,097</b>	<b>\$11,821</b>	<b>\$0</b>	<b>\$0</b>	<b>132.2</b>
Percentage Change	0.9%	0.9%	0.7%	n/a	n/a	2.8%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

Senate Bill 20-1019 increases the Division's FY 2019-20 appropriation to pay part of the cost of opening and operating two towers of Centennial South. House Bill 20-1243 increases the Division's FY 2019-20 appropriation to pay additional costs of opening and operating the facility. In addition, House Bill 20-1243 increases appropriations for medical services for inmates by \$7.8 million General Fund.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Prior Year Salary Survey	\$8,313,534	\$8,301,275	\$12,259	\$0	\$0	0.0
FY 19-20 La Vista staff increase	30,207	30,207	0	0	0	0.8
<b>TOTAL</b>	<b>\$8,343,741</b>	<b>\$8,331,482</b>	<b>\$12,259</b>	<b>\$0</b>	<b>\$0</b>	<b>0.8</b>

**HOUSE INMATES AT CENTENNIAL SOUTH:** The appropriation includes additional funding to operate two towers of Centennial South during FY 2020-21.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 20-1243 Supplemental budget balancing actions	\$3,600,000	\$3,600,000	\$0	\$0	\$0	0.0
SB 18-200 PERA	2,211,309	2,208,976	2,333	0	0	0.0
SB 19-008 Substance Use Disorder Treatment	75,503	75,503	0	0	0	0.4
HB 19-1064 Victim Notification Criminal Proceedings	(13,050)	(13,050)	0	0	0	0.0
<b>TOTAL</b>	<b>\$5,873,762</b>	<b>\$5,871,429</b>	<b>\$2,333</b>	<b>\$0</b>	<b>\$0</b>	<b>0.4</b>

**MEDICAL CASELOAD:** The appropriation includes an increase of \$292,998 General Fund for medical caseload changes.

**COST INCREASES FROM OTHER STATE AGENCIES:** The appropriation includes \$71,511 General Fund to pay for increased costs at state agencies that supply maintenance and food to DOC.

**INDIRECT COST ADJUSTMENT:** The appropriation includes adjustments based on the Department's indirect cost assessment plan, as well as amounts available in the Indirect Cost Excess Recoveries Cash Fund for the Department.

**HEPATITIS C TREATMENT COST REDUCTION.** The appropriation reduces by \$10.1 million the General Fund appropriation for treatment of offenders who have hepatitis C, which reduces the total General Fund appropriation from \$20.5 million to \$10.4 million. By the end of FY 2019-20, the Department will have worked through its backlog of untreated hepatitis C cases. As a consequence, a reduced appropriation is sufficient to treat the estimated 624 offenders who will enter DOC during FY 2020-21 with a hepatitis C infection.

**BUDGET BALANCING ACTIONS:** For budget balancing purposes, the appropriation reduces spending for correctional officers by \$6.2 million General Fund.

**CLOSE SKYLINE CORRECTIONAL CENTER:** For budget balancing purposes, the appropriation includes a \$1,360,346 General Fund reduction in anticipation of the January 2021 closure of Skyline Correctional Center, a minimum security prison in Canon City. The closure is the result of an expected lower population of inmates.

**REDUCE BEDS AT LA VISTA CORRECTIONAL FACILITY:** For budget balancing purposes, the appropriation includes a \$614,529 General Fund reduction to reflect the closure in July 2020 of 147 beds at La Vista Correctional Facility, which holds female inmates. The closure is the result of an expected lower population of inmates.

**FY 20-21 FUNDING ALREADY IN STATUTE FROM 5-YEAR SENTENCING BILLS:** The appropriation includes a decrease of \$380,688 General Fund to reflect amounts already appropriated to the Department in criminal sentencing bills with five-year statutory appropriations that were enacted in prior years.

**COMMUNITY PROVIDER RATE:** For budget balancing purposes, the appropriation includes a decrease of \$192,342 General Fund, due to a one percent reduction of the rate paid to providers of medical and mental health services.

**ELIMINATE UNUSED CASH FUND APPROPRIATIONS:** The appropriation eliminates a \$2,947 cash funds appropriation for personal services in the Housing and Security Subprogram that, due to a lack of cash fund revenue, is unlikely to be used in the future.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## SUPPORT SERVICES

The Support Services division includes business operations, personnel, offender services, communications, transportation, training, information systems, and facility services. The cash funds and reappropriated funds are primarily from sales revenue from Canteen Operations and Correctional Industries.

SUPPORT SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$54,077,198	\$52,049,992	\$859,456	\$1,167,750	\$0	241.2
SB 19-008	810	810	0	0	0	0.0
SB 19-143	25,200	25,200	0	0	0	0.0
HB 19-1064	6,145	6,145	0	0	0	0.0
HB 20-1243	50,000	50,000	0	0	0	0.0
<b>TOTAL</b>	<b>\$54,159,353</b>	<b>\$52,132,147</b>	<b>\$859,456</b>	<b>\$1,167,750</b>	<b>\$0</b>	<b>241.2</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$54,159,353	\$52,132,147	\$859,456	\$1,167,750	\$0	241.2
Annualize prior year budget actions	407,587	405,433	2,154	0	0	0.0
Annualize prior year legislation	116,027	115,617	410	0	0	0.0
House inmates at Centennial South	50,288	50,288	0	0	0	1.0
Cost increases from other state agencies	34,525	34,525	0	0	0	0.0
Indirect cost adjustment	0	75,837	0	(75,837)	0	0.0
Centrally appropriated line items	(1,363,373)	(1,330,007)	(35,834)	2,468	0	0.0
Reduce beds at La Vista Correctional Facility	(3,555)	(3,555)	0	0	0	0.0
Close Skyline Correctional Center	(301)	(301)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$53,400,551</b>	<b>\$51,479,984</b>	<b>\$826,186</b>	<b>\$1,094,381</b>	<b>\$0</b>	<b>242.2</b>
<b>TOTAL</b>	<b>\$53,400,551</b>	<b>\$51,479,984</b>	<b>\$826,186</b>	<b>\$1,094,381</b>	<b>\$0</b>	<b>242.2</b>
<b>INCREASE/(DECREASE)</b>						
Percentage Change	(\$758,802) (1.4%)	(\$652,163) (1.3%)	(\$33,270) (3.9%)	(\$73,369) (6.3%)	\$0 n/a	1.0 0.4%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1243 increases the Division's FY 2019-20 appropriation to pay part of the cost of opening and operating two towers of Centennial South.



## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$407,587 General Fund to annualize prior year salary survey.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$108,296	\$107,886	\$410	\$0	\$0	0.0
SB 19-165 Increase Parole Board Membership	7,236	7,236	0	0	0	0.0
HB 19-1064 Victim Notification Criminal Proceedings	405	405	0	0	0	0.0
SB 19-008 Substance Use Disorder Treatment	90	90	0	0	0	0.0
<b>TOTAL</b>	<b>\$116,027</b>	<b>\$115,617</b>	<b>\$410</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**HOUSE INMATES AT CENTENNIAL SOUTH:** The appropriation includes additional funding to operate two towers of Centennial South during FY 2020-21.

**COST INCREASES FROM OTHER STATE AGENCIES:** The appropriation includes \$34,525 General Fund to pay for increased costs at the Department of Public Safety for radio dispatch services supplied to DOC.

**INDIRECT COST ADJUSTMENT:** The appropriation includes adjustments based on the Department's indirect cost assessment plan, as well as amounts available in the Indirect Cost Excess Recoveries Cash Fund for the Department.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
OIT Budget request package	\$172,477	\$171,543	\$934	\$0	\$0	0.0
OIT Colorado Digital Services	134,239	134,239	0	0	0	0.0
CORE adjustment	38,116	33,342	2,306	2,468	0	0.0
Payments to OIT adjustment	(1,040,568)	(1,035,133)	(5,435)	0	0	0.0
Reduce OIT	(529,279)	(521,208)	(8,071)	0	0	0.0
DPA Annual fleet vehicle request	(138,358)	(112,790)	(25,568)	0	0	0.0
<b>TOTAL</b>	<b>(\$1,363,373)</b>	<b>(\$1,330,007)</b>	<b>(\$35,834)</b>	<b>\$2,468</b>	<b>\$0</b>	<b>0.0</b>

**REDUCE BEDS AT LA VISTA CORRECTIONAL FACILITY:** For budget balancing purposes, the appropriation includes \$3,555 less General Fund to reflect the closure in July 2020 of 147 beds at La Vista Correctional Facility, which holds female inmates. The closure is the result of an expected lower population of inmates.

**CLOSE SKYLINE CORRECTIONAL CENTER:** For budget balancing purposes, the appropriation includes a \$301 General Fund reduction in anticipation of the January 2021 closure of Skyline Correctional Center, a minimum security prison in Canon City. The closure is the result of an expected lower population of inmates.

## INMATE PROGRAMS

The Inmate Programs division includes educational, vocational, recreational, and inmate labor programs operated by the Department. This division also includes the Sex Offender Treatment Subprogram, the Drug and Alcohol Treatment Subprogram, and the Volunteers Subprogram. Cash and reappropriated funds are primarily from the Correctional Treatment Cash Fund and sales revenue of the Canteen Operation.

INMATE PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$46,275,700	\$42,807,605	\$1,406,368	\$1,968,480	\$93,247	550.6
HB 20-1019	203,351	142,381	60,970	0	0	2.4
HB 20-1243	84,487	63,297	21,190	0	0	0.0
<b>TOTAL</b>	<b>\$46,563,538</b>	<b>\$43,013,283</b>	<b>\$1,488,528</b>	<b>\$1,968,480</b>	<b>\$93,247</b>	<b>553.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$46,563,538	\$43,013,283	\$1,488,528	\$1,968,480	\$93,247	553.0
Annualize prior year budget actions	952,600	952,600	0	0	0	0.1
House inmates at Centennial South	850,914	768,754	82,160	0	0	13.4
Annualize prior year legislation	253,394	253,394	0	0	0	0.0
Temporarily refinance volunteers program	0	(480,002)	480,002	0	0	0.0
Line item funding adjustments	(1,388,373)	0	0	(1,388,373)	0	0.0
Close Skyline Correctional Center	(142,843)	(142,843)	0	0	0	(2.3)
Reduce beds at La Vista Correctional Facility	(56,052)	(56,052)	0	0	0	(0.9)
<b>HB 20-1360</b>	<b>\$47,033,178</b>	<b>\$44,309,134</b>	<b>\$2,050,690</b>	<b>\$580,107</b>	<b>\$93,247</b>	<b>563.3</b>
<b>TOTAL</b>	<b>\$47,033,178</b>	<b>\$44,309,134</b>	<b>\$2,050,690</b>	<b>\$580,107</b>	<b>\$93,247</b>	<b>563.3</b>
INCREASE/(DECREASE)						
Percentage Change	1.0%	3.0%	37.8%	(70.5%)	0.0%	1.9%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1019 paid part of the cost for this division to open two towers of Centennial South. House Bill 20-1243 paid the remaining costs.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Prior Year Salary Survey	\$952,248	\$952,248	\$0	\$0	\$0	0.0
FY 19-20 La Vista staff increase	352	352	0	0	0	0.1
<b>TOTAL</b>	<b>\$952,600</b>	<b>\$952,600</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.1</b>

**HOUSE INMATES AT CENTENNIAL SOUTH:** The appropriation includes additional funding to operate two towers of Centennial South during FY 2020-21.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impact of SB 18-200 (PERA).

**TEMPORARILY REFINANCE VOLUNTEERS PROGRAM:** For budget balancing purposes, the appropriation temporarily refinances \$480,002 of General Fund appropriated to the Department's volunteers program with cash funds from the Canteen Operation, which sells things to inmates.

**LINE ITEM FUNDING ADJUSTMENTS:** The appropriation moves funding for (1) lease space, (2) the *Transitional Work Program*, and (3) drug and alcohol treatment for parolees and transition offenders among line items and divisions.

**CLOSE SKYLINE CORRECTIONAL CENTER:** For budget balancing purposes, the appropriation includes a \$142,843 General Fund reduction in anticipation of the January 2021 closure of Skyline Correctional Center, a minimum security prison in Canon City. The closure is the result of an expected lower population of inmates.

**REDUCE BEDS AT LA VISTA CORRECTIONAL FACILITY:** For budget balancing purposes, the appropriation includes a \$56,052 General Fund reduction to reflect the closure in July 2020 of 147 beds at La Vista Correctional Facility, which holds female inmates. The closure is the result of an expected lower population of inmates.

## COMMUNITY SERVICES

The Community Services division includes the Parole Subprogram, the Community Supervision Subprogram for inmates in community corrections and in the Intensive Supervision-Inmate (ISP-I) program, and the Community Re-entry Subprogram. Other costs associated with residential community corrections placements are appropriated to the Department of Public Safety's Division of Criminal Justice. The reappropriated funds are from the Correctional Treatment Cash Fund.

COMMUNITY SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$62,543,605	\$60,252,276	\$10,000	\$2,242,231	\$39,098	436.6
HB 20-1019	30,508	30,508	0	0	0	0.6
<b>TOTAL</b>	<b>\$62,574,113</b>	<b>\$60,282,784</b>	<b>\$10,000</b>	<b>\$2,242,231</b>	<b>\$39,098</b>	<b>437.2</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$62,574,113	\$60,282,784	\$10,000	\$2,242,231	\$39,098	437.2
Line item funding adjustments	1,124,373	(264,000)	0	1,388,373	0	1.0
Annualize prior year budget actions	728,592	728,592	0	0	0	0.0
Annualize prior year legislation	193,880	193,880	0	0	0	0.0
House inmates at Centennial South	89,052	89,052	0	0	0	1.4
Realign funding for offender services	(3,781,144)	(3,781,144)	0	0	0	0.0
Transitional Work Program	(2,000,000)	(2,000,000)	0	0	0	0.0
Reduce reversions in multiple programs	(265,000)	(265,000)	0	0	0	0.0
Community provider rate	(186,314)	(163,892)	0	(22,422)	0	0.0
Eliminate unused cash-fund appropriations	(10,000)	0	(10,000)	0	0	0.0
<b>HB 20-1360</b>	<b>\$58,467,552</b>	<b>\$54,820,272</b>	<b>\$0</b>	<b>\$3,608,182</b>	<b>\$39,098</b>	<b>439.6</b>
<b>TOTAL</b>	<b>\$58,467,552</b>	<b>\$54,820,272</b>	<b>\$0</b>	<b>\$3,608,182</b>	<b>\$39,098</b>	<b>439.6</b>
<b>INCREASE/(DECREASE)</b>						
Percentage Change	(6.6%)	(9.1%)	(100.0%)	60.9%	0.0%	0.5%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

Senate Bill 20-1019 increases the FY 2019-20 appropriation to pay part of the cost of opening and operating two towers of Centennial South.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**LINE ITEM FUNDING ADJUSTMENTS:** The appropriation moves funding for (1) lease space, (2) the *Transitional Work Program*, and (3) drug and alcohol treatment for parolees and transition offenders among line items and divisions. In addition to these net-zero funding movements, the appropriation provides an additional 1.0 FTE for the *Transitional Work Program*.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes a \$728,592 General Fund increase for annualization of prior year salary survey.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an increase of \$193,880 General Fund for annualization of SB 18-200 (PERA).

**HOUSE INMATES AT CENTENNIAL SOUTH:** The appropriation includes additional funding to operate two towers of Centennial South during FY 2020-21.

**REALIGN FUNDING FOR OFFENDER SERVICES:** The appropriation includes a \$3.8 million General Fund reduction for offender services provided to parolees.

**TRANSITIONAL WORK PROGRAM:** For budget balancing purposes, the appropriation includes a \$2.0 million General Fund reduction for the Department's *Transitional Work Program*, reflecting reduced job placement opportunities for inmates who are nearing completion of their sentences

**REDUCE REVERSIONS IN MULTIPLE PROGRAMS:** The appropriation reduces by \$265,000 General Fund appropriations that have not been fully utilized in recent years. These unused appropriations are part of larger appropriations that support transition offenders in community corrections, youthful offenders in Youthful Offender System Aftercare, and the Parole Board.

**COMMUNITY PROVIDER RATE:** For budget balancing purposes, the appropriation includes a \$186,314 General Fund reduction due to a one percent reduction of the rates paid for medical and mental health services.

**ELIMINATE UNUSED CASH FUND APPROPRIATIONS:** The appropriation eliminates a \$10,000 appropriation for gifts, grants, and donations received by the Department's Offender Re-employment Center that has been unused for years due to a lack of gifts, grants, and donations.

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## PAROLE BOARD

The Parole Board has the discretion to grant or deny parole to offenders who have reached their parole eligibility date. The Board must parole offenders when they reach their mandatory parole date. The Board imposes conditions of parole on parolees and it may revoke parole when those conditions are violated.

PAROLE BOARD						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$1,928,452	\$1,928,452	\$0	\$0	\$0	19.5
SB 19-165	293,774	293,774	0	0	0	1.8
HB 20-1243	72,677	72,677	0	0	0	0.0
<b>TOTAL</b>	<b>\$2,294,903</b>	<b>\$2,294,903</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>21.3</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$2,294,903	\$2,294,903	\$0	\$0	\$0	21.3
Annualize prior year budget actions	37,129	37,129	0	0	0	0.0
Annualize prior year legislation	(50,130)	(50,130)	0	0	0	0.2
Reduce reversions in multiple programs	(30,000)	(30,000)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$2,251,902</b>	<b>\$2,251,902</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>21.5</b>
<b>TOTAL</b>	<b>\$2,251,902</b>	<b>\$2,251,902</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>21.5</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$43,001)</b>	<b>(\$43,001)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.2</b>
Percentage Change	(1.9%)	(1.9%)	n/a	n/a	n/a	0.9%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1243 increases the FY 2019-20 appropriation by \$72,677 General Fund to provide more staff to support the parole board. The Parole Board already has a sufficient FTE appropriation.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes a \$37,129 General Fund increase for annualization of prior year salary survey.

**ANNUALIZE PRIOR YEAR LEGISLATION:** To annualize prior legislation, the appropriation includes an increase of \$9,880 General Fund for S.B. 18-200 (PERA) and General Fund decreases of \$54,074 for S.B. 19-165 (Increase Parole Board Membership) and \$5,936 for S.B. 19-165 (Increase Parole Board Membership).

**REDUCE REVERSIONS IN MULTIPLE PROGRAMS:** The appropriation reduces by \$30,000 General Fund previously unused appropriations that support the Parole Board.

## CORRECTIONAL INDUSTRIES

Correctional Industries manages profit-oriented work programs that provide inmates with on-the-job training while generating revenues to cover costs. Major businesses operated by Correctional Industries include the manufacture of license plates, office furniture, and modular office systems; a print shop; a leather products shop; wildland fire fighting; dog and horse training; and a garment production operation. Correctional Industries sells its products primarily to other government agencies. Correctional Industries is fully supported by cash and reappropriated funds from sales of Correctional Industries products and services. Because Correctional Industries is an enterprise, its appropriations are exempt from Section 20 of Article X of the State Constitution (TABOR).

CORRECTIONAL INDUSTRIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$64,954,373	\$0	\$15,673,919	\$46,130,399	\$3,150,055	155.0
<b>TOTAL</b>	<b>\$64,954,373</b>	<b>\$0</b>	<b>\$15,673,919</b>	<b>\$46,130,399</b>	<b>\$3,150,055</b>	<b>155.0</b>

CORRECTIONAL INDUSTRIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$64,954,373	\$0	\$15,673,919	\$46,130,399	\$3,150,055	155.0
Annualize prior year budget actions	193,894	0	193,894	0	0	0.0
Annualize prior year legislation	36,900	0	36,900	0	0	0.0
Correctional Industries raw materials adjustment	(1,000,000)	0	(700,000)	(300,000)	0	0.0
Indirect cost adjustment	(79,363)	0	5,704	2,783	(87,850)	0.0
<b>HB 20-1360</b>	<b>\$64,105,804</b>	<b>\$0</b>	<b>\$15,210,417</b>	<b>\$45,833,182</b>	<b>\$3,062,205</b>	<b>155.0</b>
<b>TOTAL</b>	<b>\$64,105,804</b>	<b>\$0</b>	<b>\$15,210,417</b>	<b>\$45,833,182</b>	<b>\$3,062,205</b>	<b>155.0</b>
INCREASE/(DECREASE)						
Percentage Change	(\$848,569) (1.3%)	\$0 n/a	(\$463,502) (3.0%)	(\$297,217) (0.6%)	(\$87,850) (2.8%)	0.0 0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes a \$193,894 Cash Funds increase for annualization of prior year salary survey.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes a \$36,900 cash funds increase for annualization of SB 18-200 (PERA).

**CORRECTIONAL INDUSTRIES RAW MATERIALS ADJUSTMENT:** The appropriation eliminates \$1.0 million of cash and reappropriated funds appropriations that provide Correctional Industries with spending authority to purchase raw materials.

**INDIRECT COST ADJUSTMENT:** The appropriation includes adjustments based on the Department's indirect cost assessment plan, as well as amounts available in the Indirect Cost Excess Recoveries Cash Fund for the Department.

## CANTEEN OPERATIONS

The Canteen Operation provides personal items for purchase by inmates, including toiletries, snack foods, televisions, phone services, and other approved items. Per court order, all funds remaining after expenses are used to provide inmates with additional educational or recreational resources including library materials and cable television services. The Canteen Operation is fully supported by cash funds from sales of canteen products to inmates. Its revenues are continuously appropriated to the Department pursuant to Section 17-24-126 (1), C.R.S.

CANTEEN OPERATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$21,314,186	\$0	\$21,314,186	\$0	\$0	28.0
<b>TOTAL</b>	<b>\$21,314,186</b>	<b>\$0</b>	<b>\$21,314,186</b>	<b>\$0</b>	<b>\$0</b>	<b>28.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$21,314,186	\$0	\$21,314,186	\$0	\$0	28.0
Annualize prior year budget actions	108,924	0	108,924	0	0	0.0
Annualize prior year legislation	20,730	0	20,730	0	0	0.0
Indirect cost adjustment	3,348	0	3,348	0	0	0.0
<b>HB 20-1360</b>	<b>\$21,447,188</b>	<b>\$0</b>	<b>\$21,447,188</b>	<b>\$0</b>	<b>\$0</b>	<b>28.0</b>
<b>TOTAL</b>	<b>\$21,447,188</b>	<b>\$0</b>	<b>\$21,447,188</b>	<b>\$0</b>	<b>\$0</b>	<b>28.0</b>

CANTEEN OPERATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>INCREASE/(DECREASE)</b>	\$133,002	\$0	\$133,002	\$0	\$0	0.0
Percentage Change	0.6%	n/a	0.6%	n/a	n/a	0.0%

#### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes a \$108,924 Cash Funds increase for annualization of prior year salary survey.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes a \$20,730 cash funds increase for annualization of SB 18-200 (PERA).

**INDIRECT COST ADJUSTMENT:** The appropriation includes adjustments based on the Department's indirect cost assessment plan, as well as amounts available in the Indirect Cost Excess Recoveries Cash Fund for the Department.

# Details

## DEPARTMENT OF EDUCATION

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

DEPARTMENT OF EDUCATION						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$6,696,803,356</b>	<b>\$4,413,841,994</b>	<b>\$1,111,463,635</b>	<b>\$42,577,029</b>	<b>\$1,128,920,698</b>	<b>616.4</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Management and Administration	101,475,212	25,118,373	29,649,470	32,579,536	14,127,833	165.7
Assistance to Public Schools	6,568,559,597	4,371,044,302	1,080,451,957	5,504,803	1,111,558,535	232.4
Library Programs	9,666,880	5,390,864	281,686	760,000	3,234,330	38.1
School for the Deaf and the Blind	17,101,667	12,288,455	1,080,522	3,732,690	0	180.2
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$5,851,129,906	\$4,190,124,616	\$999,232,465	\$42,327,029	\$619,445,796	605.4
SB 19-010	3,000,000	0	3,000,000	0	0	1.0
SB 19-059	250,000	250,000	0	0	0	0.3
SB 19-161	2,000	2,000	0	0	0	0.0
SB 19-176	1,544,916	44,916	1,500,000	0	0	0.8
SB 19-199	33,134,746	0	33,134,746	0	0	4.2
SB 19-204	493,097	493,097	0	0	0	0.4
SB 19-215	68,000	68,000	0	0	0	0.0
SB 19-216	129,563	129,563	0	0	0	0.3
SB 19-246	38,775,902	37,675,902	1,100,000	0	0	1.3
HB 19-1002	272,929	272,929	0	0	0	0.9
HB 19-1017	43,114	0	43,114	0	0	0.4
HB 19-1055	80,656,559	0	80,656,559	0	0	0.0
HB 19-1110	19,816	19,816	0	0	0	0.0
HB 19-1120	116,550	116,550	0	0	0	0.9
HB 19-1132	168,942	168,942	0	0	0	0.3
HB 19-1134	106,196	106,196	0	0	0	0.0
HB 19-1171	463,729	463,729	0	0	0	0.0
HB 19-1187	250,000	250,000	0	0	0	0.0
HB 19-1192	37,495	0	37,495	0	0	0.0
HB 19-1236	1,012,201	1,012,201	0	0	0	0.2
HB 19-1262	173,972,108	173,972,108	0	0	0	0.0
HB 19-1332	250,000	0	0	250,000	0	0.0
HB 20-1244	0	525,098	0	0	(525,098)	0.0
HB 20-1260	9,046,331	9,046,331	0	0	0	0.0
HB 20-1360	(7,140,744)	(900,000)	(6,240,744)	0	0	0.0
HB 20-1418	509,000,000	0	(1,000,000)	0	510,000,000	0.0
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$5,794,114,351</b>	<b>\$3,929,010,921</b>	<b>\$1,047,522,606</b>	<b>\$39,999,728</b>	<b>\$777,581,096</b>	<b>609.0</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Management and Administration	111,204,933	21,844,012	34,001,717	31,653,676	23,705,528	169.9
Assistance to Public Schools	5,656,535,712	3,889,669,745	1,012,163,477	4,118,845	750,583,645	223.8
Library Programs	9,204,590	4,915,255	287,412	710,000	3,291,923	38.1
School for the Deaf and the Blind	17,169,116	12,581,909	1,070,000	3,517,207	0	177.2
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						



DEPARTMENT OF EDUCATION						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 20-1360	\$6,328,385,349	\$4,652,659,058	\$1,015,987,081	\$40,151,896	\$619,587,314	612.0
HB 20-1135	(667,680)	0	(667,680)	0	0	0.0
HB 20-1379	(1,220,885)	(870,498)	(198,219)	(152,168)	0	0.0
HB 20-1418	(532,382,433)	(722,777,639)	32,401,424	0	157,993,782	(3.0)
<b>INCREASE/(DECREASE)</b>	<b>(\$902,689,005)</b>	<b>(\$484,831,073)</b>	<b>(\$63,941,029)</b>	<b>(\$2,577,301)</b>	<b>(\$351,339,602)</b>	<b>(7.4)</b>
Percentage Change	(13.5%)	(11.0%)	(5.8%)	(6.1%)	(31.1%)	(1.2%)

<sup>1</sup> Includes General Fund Exempt.

**GENERAL FUND EXEMPT:** Amounts in the General Fund column include appropriations from both the General Fund and General Fund Exempt Account. The General Fund Exempt Account was created by Referendum C, passed by Colorado voters in November 2005. Referendum C allowed the State to retain for FY 2005-06 through FY 2009-10 all revenue collected in excess of the TABOR limit and for FY 2010-11 and subsequent fiscal years all revenues in excess of the TABOR limit but less than the excess state revenues cap. The retained revenue must be placed in the General Fund Exempt Account. The table below shows the amount of General Fund that is appropriated for FY 2019-20 and FY 2020-21 from the General Fund Exempt Account for preschool through twelfth grade education pursuant to Sections 24-77-103.6 (2)(b) and 24-77-104.5 (3), C.R.S. For additional information on General Fund Exempt appropriations, see Appendix D.

FISCAL YEAR	TOTAL GENERAL FUND	GENERAL FUND	GENERAL FUND EXEMPT
FY 2019-20	\$4,413,841,994	\$3,890,518,661	\$523,323,333
FY 2020-21	\$3,929,010,921	\$3,844,519,527	\$84,491,394

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of Education are annotated with the "(I)". For additional information, see Appendix K.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$802,061,268	\$0	\$4,380,172	\$20,100,000	\$777,581,096

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### MANAGEMENT AND ADMINISTRATION

This section provides funding for the State Board of Education, the Commissioner of Education, and general department administrative responsibilities including: human resources, budgeting, accounting, information management, assessments, and data analyses. This section also includes funding for the Office of Professional Services, the Division of On-line Learning, activities associated with educator effectiveness, and the State Charter School Institute.

Cash funds primarily include the State Education Fund, the State Public School Fund, the Educator Licensure Cash Fund, the Institute Charter School Assistance Fund, general education development (GED) program fees, and the Public School Capital Construction Assistance Fund. Reappropriated funds consist primarily of indirect cost recoveries, the transfer of funds from various cash- and federally-funded line items, and the transfer of various grants and donations originally appropriated in the Assistance to Public Schools section.

### MANAGEMENT AND ADMINISTRATION

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$106,473,212	\$24,591,275	\$34,649,470	\$32,579,536	\$14,652,931	165.7
SB 19-161	2,000	2,000	0	0	0	0.0
HB 20-1244	0	525,098	0	0	(525,098)	0.0
HB 20-1360	(5,000,000)	0	(5,000,000)	0	0	0.0
<b>TOTAL</b>	<b>\$101,475,212</b>	<b>\$25,118,373</b>	<b>\$29,649,470</b>	<b>\$32,579,536</b>	<b>\$14,127,833</b>	<b>165.7</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$101,475,212	\$25,118,373	\$29,649,470	\$32,579,536	\$14,127,833	165.7
Technical adjustments	10,012,368	0	0	0	10,012,368	4.0
Annualize prior year budget actions	3,879,256	(303,115)	4,853,406	(96,178)	(574,857)	0.2
Centrally appropriated items	421,794	(235,184)	285,569	285,341	86,068	0.0
Indirect cost assessment	110,162	0	63,422	0	46,740	0.0
Fund source adjustments	0	(422,300)	0	422,300	0	0.0
CSI mill levy equalization decrease	(2,800,000)	(1,400,000)	0	(1,400,000)	0	0.0
Annualize prior year legislation	(5,294)	(43,264)	15,749	14,845	7,376	0.0
<b>HB 20-1360</b>	<b>\$113,093,498</b>	<b>\$22,714,510</b>	<b>\$34,867,616</b>	<b>\$31,805,844</b>	<b>\$23,705,528</b>	<b>169.9</b>
HB 20-1135	(667,680)	0	(667,680)	0	0	0.0
HB 20-1379	(1,220,885)	(870,498)	(198,219)	(152,168)	0	0.0
<b>TOTAL</b>	<b>\$111,204,933</b>	<b>\$21,844,012</b>	<b>\$34,001,717</b>	<b>\$31,653,676</b>	<b>\$23,705,528</b>	<b>169.9</b>
<b>INCREASE/(DECREASE)</b>	<b>\$9,729,721</b>	<b>(\$3,274,361)</b>	<b>\$4,352,247</b>	<b>(\$925,860)</b>	<b>\$9,577,695</b>	<b>4.2</b>
Percentage Change	9.6%	(13.0%)	14.7%	(2.8%)	67.8%	2.5%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1244 modifies fund sources for PERA direct distribution payments, which help to address PERA's unfunded liability. The adjustment replaces federal funds determined to be uncollectible with General Fund appropriations.

House Bill 20-1360 includes a decrease of \$5.0 million cash funds from the State Education Fund to reflect anticipated reversions from the Statewide Assessment Program line item associated with the cancellation of statewide assessments in FY 2019-20. This is a budget balancing action.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**TECHNICAL ADJUSTMENTS:** The appropriation includes a transfer of \$10.0 million federal funds and 4.0 FTE from the Appropriated Sponsored Programs line item in the Assistance to Public Schools section to the Schools of Choice line item in the Management and Administration section to consolidate funds directly related to charter schools and the Schools of Choice Office within the Schools of Choice line item.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize Long Bill supplemental	\$5,000,000	\$0	\$5,000,000	\$0	\$0	0.0
FY 19-20 R3 Schools of choice	19,505	19,505	0	0	0	0.2
FY 2019-20 Salary survey	(1,140,249)	(322,620)	(146,594)	(96,178)	(574,857)	0.0
<b>TOTAL</b>	<b>\$3,879,256</b>	<b>(\$303,115)</b>	<b>\$4,853,406</b>	<b>(\$96,178)</b>	<b>(\$574,857)</b>	<b>0.2</b>

**CENTRALLY APPROPRIATED ITEMS:** The appropriation includes the following adjustments to centrally appropriated line items. The appropriation includes a Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction.

CENTRALLY APPROPRIATED ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Legal services	\$273,890	\$158,320	\$108,542	\$7,028	\$0	0.0
Payments to OIT	254,992	111,162	37,969	105,861	0	0.0
Leased space adjustment	160,160	36,162	(4,343)	12,383	115,958	0.0
AED	59,850	28,299	22,925	24,368	(15,742)	0.0
SAED	59,850	28,299	22,925	24,368	(15,742)	0.0
CORE operations	81,078	21,098	90,095	(30,115)	0	0.0
Capitol Complex leased space	53,775	16,133	6,442	10,459	20,741	0.0
Short-term disability	2,154	1,015	793	838	(492)	0.0
Health, life, and dental	(214,261)	(486,264)	95,604	153,159	23,240	0.0
Workers' compensation	(117,928)	(52,675)	(15,389)	(7,969)	(41,895)	0.0
Administrative law judge services	(92,183)	0	(76,272)	(15,911)	0	0.0
PERA Direct Distribution	(67,796)	(64,946)	(3,722)	872	0	0.0
Payment to risk management/property funds	(31,787)	(31,787)	0	0	0	0.0
<b>TOTAL</b>	<b>\$421,794</b>	<b>(\$235,184)</b>	<b>\$285,569</b>	<b>\$285,341</b>	<b>\$86,068</b>	<b>0.0</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

**FUND SOURCE ADJUSTMENTS:** The appropriation includes an increase in the amount of total department indirect cost recoveries applied to offset the need for General Fund in this division, which necessitates an increase in the reappropriated funds appropriation.

**CSI MILL LEVY EQUALIZATION DECREASE:** The appropriation includes a decrease of \$2.8 million total funds, including \$1.4 million General Fund and \$1.4 million reappropriated funds, for CSI mill levy equalization. The decrease represents a reduction of 20.0 percent below the FY 2019-20 appropriation. This is a budget balancing action.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 Eliminate unfunded PERA liability	\$71,006	\$33,036	\$15,749	\$14,845	\$7,376	0.0
HB 18-1019 K12 accreditation weighted factors	(52,500)	(52,500)	0	0	0	0.0
HB 18-1306 Improving educational stability for foster youth	(23,800)	(23,800)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$5,294)</b>	<b>(\$43,264)</b>	<b>\$15,749</b>	<b>\$14,845</b>	<b>\$7,376</b>	<b>0.0</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## ASSISTANCE TO PUBLIC SCHOOLS

This section includes funding that is distributed to public schools or is used to directly support public schools (e.g., federally-funded Department staff that provide technical assistance to districts concerning special education programs). This section is comprised of the following four subsections:

- **Public School Finance:** This subsection includes funding for the state share of districts' total program funding required under the School Finance Act, for other distributions that are directly related to school district pupil counts, and for administration of the School Finance Act and related programs.

- **Categorical Programs:** This subsection includes state and federal funding for all programs defined as "categorical programs" pursuant to Article IX, Section 17 of the Colorado Constitution.
- **Grant Programs, Distributions, and Other Assistance:** This subsection includes other state and federal funds that are distributed to schools and districts, or that are used to provide direct support and assistance to schools and districts.
- **Indirect Cost Assessment:** This subsection reflects all of the indirect cost assessments against fund sources within the Assistance to Public Schools division.

The changes in appropriation by subdivision and the factors driving such changes are included in tables for each subdivision.

ASSISTANCE TO PUBLIC SCHOOLS						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$5,718,138,147	\$4,147,854,022	\$963,220,787	\$5,504,803	\$601,558,535	221.4
SB 19-010	3,000,000	0	3,000,000	0	0	1.0
SB 19-059	250,000	250,000	0	0	0	0.3
SB 19-176	1,544,916	44,916	1,500,000	0	0	0.8
SB 19-199	33,134,746	0	33,134,746	0	0	4.2
SB 19-204	493,097	493,097	0	0	0	0.4
SB 19-215	68,000	68,000	0	0	0	0.0
SB 19-216	129,563	129,563	0	0	0	0.3
SB 19-246	38,775,902	37,675,902	1,100,000	0	0	1.3
HB 19-1002	272,929	272,929	0	0	0	0.9
HB 19-1017	43,114	0	43,114	0	0	0.4
HB 19-1055	80,656,559	0	80,656,559	0	0	0.0
HB 19-1110	19,816	19,816	0	0	0	0.0
HB 19-1120	116,550	116,550	0	0	0	0.9
HB 19-1132	168,942	168,942	0	0	0	0.3
HB 19-1134	106,196	106,196	0	0	0	0.0
HB 19-1171	463,729	463,729	0	0	0	0.0
HB 19-1187	250,000	250,000	0	0	0	0.0
HB 19-1192	37,495	0	37,495	0	0	0.0
HB 19-1236	1,012,201	1,012,201	0	0	0	0.2
HB 19-1262	173,972,108	173,972,108	0	0	0	0.0
HB 20-1260	9,046,331	9,046,331	0	0	0	0.0
HB 20-1360	(2,140,744)	(900,000)	(1,240,744)	0	0	0.0
HB 20-1418	509,000,000	0	(1,000,000)	0	510,000,000	0.0
<b>TOTAL</b>	<b>\$6,568,559,597</b>	<b>\$4,371,044,302</b>	<b>\$1,080,451,957</b>	<b>\$5,504,803</b>	<b>\$1,111,558,535</b>	<b>232.4</b>
FY 2020-21 APPROPRIATION:						
HB 20-1360	\$6,188,918,145	\$4,612,447,384	\$979,762,053	\$4,118,845	\$592,589,863	226.8
HB 20-1418	(532,382,433)	(722,777,639)	32,401,424	0	157,993,782	(3.0)
<b>TOTAL</b>	<b>\$5,656,535,712</b>	<b>\$3,889,669,745</b>	<b>\$1,012,163,477</b>	<b>\$4,118,845</b>	<b>\$750,583,645</b>	<b>223.8</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$912,023,885)</b>	<b>(\$481,374,557)</b>	<b>(\$68,288,480)</b>	<b>(\$1,385,958)</b>	<b>(\$360,974,890)</b>	<b>(8.6)</b>
Percentage Change	(13.9%)	(11.0%)	(6.3%)	(25.2%)	(32.5%)	(3.7%)

<sup>1</sup> Includes General Fund Exempt.

## PUBLIC SCHOOL FINANCE

This subsection of the Assistance to Public Schools section primarily consists of appropriations for the State's share of funding required under the School Finance Act of 1994, as amended. The local share of funding (42.2 percent of the amount required under the Act for FY 2020-21 or \$3.1 billion) is not reflected in appropriations to the Department. This subsection also includes funding for other distributions that are directly related to school district pupil counts, as well as funding for staff responsible for administering the School Finance Act and the Colorado

Preschool Program. The subsection also supports staff responsible for auditing school districts to ensure compliance with the federal school lunch, public school transportation, and English language proficiency programs.

For FY 2020-21, 88.7 percent of the State's share of districts' total program funding is from the General Fund; the remainder is appropriated from two cash funds: the State Education Fund and the State Public School Fund. Administrative costs are primarily supported by transfers from the State Share of Districts' Total Program Funding, which has the effect of reducing funding that would otherwise be distributed to school districts.

#### **SCHOOL FINANCE FORMULA OVERVIEW: FY 2020-21 FUNDING FOR PUBLIC SCHOOL FINANCE**

The annual Long Bill contains appropriations based on current law. Thus, for purposes of public school finance, the Long Bill contains appropriations to fund public schools based on projected student enrollment, the existing statutory public school finance funding formula, and the minimum constitutionally required increase in the statewide base per-pupil funding amount. The General Assembly also passes a separate bill each year, called the School Finance Bill, that modifies the statutory school finance formula for the upcoming fiscal year. The School Finance Bill always specifies, in statute, the constitutionally required increase in the statewide base per-pupil funding amount. In addition, the School Finance Bill often includes other statutory modifications that increase or decrease the cost of funding public schools. If necessary, the School Finance Bill then includes an appropriation clause which increases or decreases Long Bill appropriations for the following fiscal year accordingly.

The FY 2020-21 Long Bill (H.B. 20-1360) includes appropriations sufficient to fully fund public schools based on projected student enrollment for FY 2020-21, support the minimum constitutionally required increase in the statewide base per-pupil funding amount, and maintain the budget stabilization factor as a constant dollar amount from FY 2019-20 to FY 2020-21 (\$572.4 million) as required by S.B. 19-246 (School Finance). Specifically, the Long Bill appropriation for the State Share of Districts' Total Program Funding line item increased by \$156.1 million above the FY 2019-20 appropriation (as adjusted during the 2020 Session).

The 2020 School Finance Bill (H.B. 20-1418) includes formula modifications that decrease the cost of funding the public school finance formula for FY 2020-21. In addition to a variety of budget balancing changes to statute and appropriations for other programs, the bill reduces state funding for total program by \$601.1 million (including a reduction of \$721.6 million General Fund that is partially offset by an increase of \$120.5 million cash funds). As a result, the bill increases the dollar value of the budget stabilization factor by \$301.1 million (from \$572.4 million assumed in the Long Bill to \$1.17 billion).

The largest line item appropriation within this subsection provides the state share of districts' total program funding. The table below provides data related to this line item appropriation for both FY 2019-20 and FY 2020-21, including the increase in the budget stabilization factor in FY 2020-21 described above. Including an estimated increase in local revenues relative to FY 2019-20, total state and local funding for school districts for FY 2020-21 is \$367.6 million (4.8 percent) lower than for FY 2019-20. This level of funding is anticipated to decrease average per-pupil funding from \$8,489 in FY 2019-20 to \$8,078 in FY 2020-21 (a decrease of \$411 per pupil, or 4.8 percent).

OVERVIEW OF DISTRICTS' TOTAL PROGRAM FUNDING: FY 2019-20 AND FY 2020-21					
	FY 2019-20 AMENDED APPROPRIATION	LONG BILL APPROPRIATION (HB 20-1360)	SCHOOL FINANCE BILL (HB 20-1418)	FY 2020-21 APPROPRIATION	ANNUAL CHANGE
Funded Pupil Count	896,001	896,094	0	896,094	93.1
<i>Annual Percent Change</i>					0.0%
Statewide Base Per Pupil Funding	\$6,952	\$7,084	\$0	\$7,084	\$132
<i>Annual Percent Change</i>					1.9%
<b>Total Program Funding PRIOR TO Budget Stabilization Factor</b>					
	<b>\$8,178,375,722</b>	<b>\$8,411,855,677</b>	<b>\$0</b>	<b>\$8,411,855,677</b>	<b>\$8,411,855,677</b>
Less: Budget Stabilization Factor Reduction	(572,396,894)	(572,396,894)	(601,115,264)	(1,173,512,158)	(601,115,264)
<b>EQUALS: Adjusted Total Program Funding</b>	<b>\$7,605,978,828</b>	<b>\$7,839,458,783</b>	<b>(\$601,115,264)</b>	<b>\$7,238,343,519</b>	<b>(\$367,635,309)</b>
<i>Annual Percent Change</i>					-4.8%
<i>Total funds reduction as percent of "full" funding</i>	-7.0%	-6.8%		-14.0%	
Statewide Average Per Pupil Funding (for adjusted total program funding)	\$8,489	\$8,748	(\$671)	\$8,078	(\$411)
<i>Annual Percent Change</i>					-4.8%
Local Share of Districts' Total Program Funding	\$2,977,176,606	\$3,054,550,789	\$0	\$3,054,550,789	\$77,374,183
<i>Annual Percent Change</i>					2.6%
<b>State Share of Districts' Total Program Funding</b>	<b>\$4,628,802,222</b>	<b>\$4,784,907,994</b>	<b>(\$601,115,264)</b>	<b>\$4,183,792,730</b>	<b>(\$445,009,492)</b>
<i>Annual Percent Change</i>					-9.6%
<i>State Share as Percent of Districts' Total Program</i>	60.9%			57.8%	

The next table compares FY 2019-20 and FY 2020-21 appropriations for the Public School Finance subsection of the budget. The table is followed by descriptions of mid-year adjustments to FY 2019-20 appropriations and descriptions of the year-over-year funding changes that are reflected in the FY 2020-21 Long Bill. Descriptions of the statutory and appropriation changes included in other bills are included in *Appendix A, Recent Legislation*.

PUBLIC SCHOOL FINANCE						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$4,463,862,525	\$3,988,528,773	\$473,595,087	\$1,738,665	\$0	17.9
SB 19-246	14,875,902	14,875,902	0	0	0	0.0
HB 19-1262	173,972,108	173,972,108	0	0	0	0.0
HB 20-1260	9,046,331	9,046,331	0	0	0	0.0
HB 20-1360	0	0	0	0	0	0.0
HB 20-1418	510,000,000	0	0	0	510,000,000	0.0
<b>TOTAL</b>	<b>\$5,171,756,866</b>	<b>\$4,186,423,114</b>	<b>\$473,595,087</b>	<b>\$1,738,665</b>	<b>\$510,000,000</b>	<b>17.9</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$5,171,756,866	\$4,186,423,114	\$473,595,087	\$1,738,665	\$510,000,000	17.9
Total program increase	155,311,038	266,392,235	(111,081,197)	0	0	0.0
Fund source adjustments	0	0	0	0	0	0.0
Annualize prior year legislation	(529,193,707)	(19,205,266)	127	11,432	(510,000,000)	0.0
Annualize prior year budget actions	(357,365)	0	(424,254)	66,889	0	0.0
Other budget balancing actions	(138,000)	0	(138,000)	0	0	0.0
<b>HB 20-1360</b>	<b>\$4,797,378,832</b>	<b>\$4,433,610,083</b>	<b>\$361,951,763</b>	<b>\$1,816,986</b>	<b>\$0</b>	<b>17.9</b>
HB 20-1418	(561,915,264)	(721,579,451)	122,664,187	0	37,000,000	0.0
<b>TOTAL</b>	<b>\$4,235,463,568</b>	<b>\$3,712,030,632</b>	<b>\$484,615,950</b>	<b>\$1,816,986</b>	<b>\$37,000,000</b>	<b>17.9</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$936,293,298)</b>	<b>(\$474,392,482)</b>	<b>\$11,020,863</b>	<b>\$78,321</b>	<b>(\$473,000,000)</b>	<b>0.0</b>
Percentage Change	(18.1%)	(11.3%)	2.3%	4.5%	(92.7%)	0.0%

<sup>1</sup> Includes General Fund Exempt.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1260 provides an increase of \$9.0 million General Fund for distribution to public schools through the School Finance Act to account for higher-than-anticipated student counts. Combined with an increase in anticipated

local funds (relative to the estimates in the original FY 2019-20 appropriation), the increase in state funds maintained the budget stabilization factor at the dollar amount anticipated in the original FY 2019-20 appropriation (\$572.4 million).

House Bill 1360 includes an adjustment to the portion of General Fund appropriations from the General Fund Exempt account.

House Bill 1418 includes the following adjustments:

- An increase of \$510.0 million federal funds from the Coronavirus Relief Fund for distribution to local education providers. These funds are reflected for informational purposes only.
- A decrease of \$1.0 million cash funds from the State Education Fund for the Quality Teacher Recruitment Program for budget balancing purposes. This is a budget balancing action.

## FY 2020-21 APPROPRIATION – H.B. 19-1360 (LONG BILL) ISSUE DESCRIPTIONS

**TOTAL PROGRAM INCREASE:** The *Long Bill* appropriation includes an increase of \$155.3 million total funds (an increase of \$303.4 million General Fund that is partially offset by a decrease in cash funds) for the State Share of Districts Total Program Funding.

**FUND SOURCE ADJUSTMENTS:** The appropriation includes an adjustment to the portion of General Fund appropriations from the General Fund Exempt account.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation. The reduction is driven by the elimination of one-time federal funding (from the Coronavirus Relief Fund) provided for distribution to local education providers in FY 2019-20 (reflected in H.B. 20-1418).

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1262 Full-day kindergarten	\$9,841,065	\$9,841,065	\$0	\$0	\$0	0.0
SB 18-200 Eliminate unfunded PERA liability	11,559	0	127	11,432	0	0.0
HB 20-1418 School finance	(510,000,000)	0	0	0	(510,000,000)	0.0
SB 19-246 School finance	(20,000,000)	(20,000,000)	0	0	0	0.0
HB 20-1260 Mid-year school finance	(9,046,331)	(9,046,331)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$529,193,707)</b>	<b>(\$19,205,266)</b>	<b>\$127</b>	<b>\$11,432</b>	<b>(\$510,000,000)</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 Salary survey	\$67,635	\$0	\$746	\$66,889	\$0	0.0
FY 19-20 R5 CPP tax checkoff	(425,000)	0	(425,000)	0	0	0.0
<b>TOTAL</b>	<b>(\$357,365)</b>	<b>\$0</b>	<b>(\$424,254)</b>	<b>\$66,889</b>	<b>\$0</b>	<b>0.0</b>

**OTHER BUDGET BALANCING ACTIONS:** The appropriation includes a reduction of \$138,000 cash funds from the State Education Fund associated with maintenance of the Department's financial transparency system.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## CATEGORICAL PROGRAMS

This subsection includes appropriations for all "categorical programs," a term that refers to programs designed to serve particular groups of students (e.g., students with limited proficiency in English) or particular student needs (e.g., transportation). Article IX, Section 17 of the Colorado Constitution defines categorical programs and requires the General Assembly to increase total state funding for all categorical programs annually by at least the rate of inflation plus one percent for FY 2001-02 through FY 2010-11 and by at least the rate of inflation for subsequent fiscal years.

Categorical programs are funded primarily with General Fund, cash funds from the State Education Fund, and various sources of federal funds. Additional cash funds are from the Public School Transportation Fund. Reappropriated funds include federal funds transferred from the Department of Human Services.

CATEGORICAL PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$483,866,675	\$141,765,474	\$174,734,946	\$191,090	\$167,175,165	73.1
SB 19-246	22,000,000	22,000,000	0	0	0	0.0
<b>TOTAL</b>	<b>\$505,866,675</b>	<b>\$163,765,474</b>	<b>\$174,734,946</b>	<b>\$191,090</b>	<b>\$167,175,165</b>	<b>73.1</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$505,866,675	\$163,765,474	\$174,734,946	\$191,090	\$167,175,165	73.1
Categorical programs increase	6,422,958	0	6,422,958	0	0	0.0
Annualize prior year budget actions	307,378	0	0	0	307,378	0.0
Annualize prior year legislation	48,206	0	0	0	48,206	0.0
<b>HB 20-1360</b>	<b>\$512,645,217</b>	<b>\$163,765,474</b>	<b>\$181,157,904</b>	<b>\$191,090</b>	<b>\$167,530,749</b>	<b>73.1</b>
<b>TOTAL</b>	<b>\$512,645,217</b>	<b>\$163,765,474</b>	<b>\$181,157,904</b>	<b>\$191,090</b>	<b>\$167,530,749</b>	<b>73.1</b>
<b>INCREASE/(DECREASE)</b>	<b>\$6,778,542</b>	<b>\$0</b>	<b>\$6,422,958</b>	<b>\$0</b>	<b>\$355,584</b>	<b>0.0</b>
Percentage Change	1.3%	0.0%	3.7%	0.0%	0.2%	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**CATEGORICAL PROGRAMS INCREASE:** As required by Amendment 23, the appropriation includes an increase of \$6.4 million cash funds from the State Education Fund in order to increase total *state* spending on categorical programs 1.9 percent, based on the rate of inflation from CY 2019. The following table details the allocation of the increase among categorical programs.

INFLATIONARY INCREASE IN <i>STATE</i> FUNDING FOR CATEGORICAL PROGRAMS FOR FY 2020-21				
LONG BILL LINE ITEM	FY 2019-20 APPROPRIATION OF STATE FUNDS	ALLOCATION OF FY 2020-21 INCREASES IN STATE FUNDS		FY 2020-21 LONG BILL APPROPRIATION OF STATE FUNDS
		\$ CHANGE	% CHANGE	
DISTRICT PROGRAMS REQUIRED BY STATUTE				
Special education programs for children with disabilities	\$202,700,611	\$3,522,547	1.7%	\$206,223,158
English language proficiency programs	22,994,436	1,111,113	4.8%	24,105,549
OTHER CATEGORICAL PROGRAMS				
Public school transportation	60,480,645	1,102,084	1.8%	61,582,729
Career and technical education	27,238,323	539,919	2.0%	27,778,242
Special education programs for gifted and talented children	12,697,199	147,295	1.2%	12,844,494
Expelled and at-risk student services grant program	9,493,560	0	0.0%	9,493,560
Small attendance center aid	1,314,250	0	0.0%	1,314,250
Comprehensive health education	1,131,396	0	0.0%	1,131,396
Totals	\$338,050,420	\$6,422,958	1.9%	\$344,473,378



**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second-year impact of salary survey appropriations provided in FY 2019-20.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation adds \$48,206 federal funds to reflect the FY 2020-21 impact of S.B. 18-200 (Eliminate Unfunded PERA Liability).

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## GRANT PROGRAMS, DISTRIBUTIONS, AND OTHER ASSISTANCE

This subsection includes state and federal funds that are distributed to schools and districts, or that are used to provide direct support and assistance to schools and districts, outside of total program and the programs defined as categorical programs. This subsection also includes funding for the Public School Capital Construction Assistance Board and the Facility Schools Board.

Significant sources of cash funds include: the Public School Capital Construction Assistance Fund, the State Education Fund, the Marijuana Tax Cash Fund, the State Public School Fund, fees collected for workshops and training, and gifts, grants, and donations. Significant sources of reappropriated funds include federal child care funds transferred from the Department of Human Services, and federal Medicaid funds transferred from the Department of Health Care Policy and Financing that are used to administer the Public School Health Services Program.

The most significant sources of federal funds reflected in this subsection include the following:

- Title I of the Elementary and Secondary Education Act - funding to improve education for children at risk of school failure, including those who live in low income communities, migrant children, and those who are neglected and delinquent;
- U.S. Department of Agriculture Food and Nutrition Service - funding for the National School Lunch Program, which provides for reduced-cost or free meals to students; and
- Title II of the Elementary and Secondary Education Act - funding for professional development and activities designed to improve educator quality.

GRANT PROGRAMS, DISTRIBUTIONS, AND OTHER ASSISTANCE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$767,652,062	\$17,559,775	\$314,865,754	\$3,519,477	\$431,707,056	130.4
SB 19-010	3,000,000	0	3,000,000	0	0	1.0
SB 19-059	250,000	250,000	0	0	0	0.3
SB 19-176	1,544,916	44,916	1,500,000	0	0	0.8
SB 19-199	33,134,746	0	33,134,746	0	0	4.2
SB 19-204	493,097	493,097	0	0	0	0.4
SB 19-215	68,000	68,000	0	0	0	0.0
SB 19-216	129,563	129,563	0	0	0	0.3
SB 19-246	1,900,000	800,000	1,100,000	0	0	1.3
HB 19-1002	272,929	272,929	0	0	0	0.9
HB 19-1017	43,114	0	43,114	0	0	0.4
HB 19-1055	80,656,559	0	80,656,559	0	0	0.0
HB 19-1110	19,816	19,816	0	0	0	0.0
HB 19-1120	116,550	116,550	0	0	0	0.9
HB 19-1132	168,942	168,942	0	0	0	0.3
HB 19-1134	106,196	106,196	0	0	0	0.0
HB 19-1171	463,729	463,729	0	0	0	0.0
HB 19-1187	250,000	250,000	0	0	0	0.0

GRANT PROGRAMS, DISTRIBUTIONS, AND OTHER ASSISTANCE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1192	37,495	0	37,495	0	0	0.0
HB 19-1236	1,012,201	1,012,201	0	0	0	0.2
HB 20-1360	(2,140,744)	(900,000)	(1,240,744)	0	0	0.0
HB 20-1418	(1,000,000)	0	(1,000,000)	0	0	0.0
<b>TOTAL</b>	<b>\$888,179,171</b>	<b>\$20,855,714</b>	<b>\$432,096,924</b>	<b>\$3,519,477</b>	<b>\$431,707,056</b>	<b>141.4</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$888,179,171	\$20,855,714	\$432,096,924	\$3,519,477	\$431,707,056	141.4
Annualize prior year legislation	10,798,056	1,234,869	9,526,784	1,801	34,602	(0.2)
Technical adjustments	(9,460,230)	0	543,229	23,383	(10,026,842)	(4.0)
Annualize prior year budget actions	(3,185,928)	(3,517,952)	1,603,705	(1,489,463)	217,782	0.0
Behavioral health professionals grants decrease	(3,000,000)	0	(3,000,000)	0	0	0.0
Other budget balancing actions	(2,940,804)	(1,900,804)	(1,040,000)	0	0	(0.8)
Eliminate National Board stipends	(2,103,256)	0	(2,103,256)	0	0	0.0
Bullying prevention reduction	(1,000,000)	0	(1,000,000)	0	0	0.0
Delay ninth grade success program	(800,000)	(800,000)	0	0	0	(0.6)
Workforce diploma pilot decrease	(800,000)	(800,000)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$875,687,009</b>	<b>\$15,071,827</b>	<b>\$436,627,386</b>	<b>\$2,055,198</b>	<b>\$421,932,598</b>	<b>135.8</b>
HB 20-1418	29,532,831	(1,198,188)	(90,262,763)	0	120,993,782	(3.0)
<b>TOTAL</b>	<b>\$905,219,840</b>	<b>\$13,873,639</b>	<b>\$346,364,623</b>	<b>\$2,055,198</b>	<b>\$542,926,380</b>	<b>132.8</b>
<b>INCREASE/(DECREASE)</b>	<b>\$17,040,669</b>	<b>(\$6,982,075)</b>	<b>(\$85,732,301)</b>	<b>(\$1,464,279)</b>	<b>\$111,219,324</b>	<b>(8.6)</b>
Percentage Change	1.9%	(33.5%)	(19.8%)	(41.6%)	25.8%	(6.1%)

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1360 includes the following adjustments:

- An increase of \$719,256 cash funds from the State Education Fund for the Stipends for National Board Certified Educators line item to align the appropriation with the number of eligible stipend recipients in FY 2019-20.
- A decrease of \$1.96 million cash funds from the State Education Fund for the Quality Teacher Recruitment Program. This is a budget balancing action.
- A decrease of \$900,000 General Fund to reflect anticipated reversions from the following items: Career Counseling Professional Development (\$500,000); the John. W. Buckner Automatic Enrollment in Advanced Courses Grant Program created in S.B. 19-059 (\$200,000); and the School Leadership Pilot Program created in H.B. 19-1002 (\$200,000). These are budget balancing actions.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1055 Public school capital construction financial assistance	\$8,164,203	\$0	\$8,164,203	\$0	\$0	0.0
HB 19-1017 K5 social and emotional health	2,456,886	0	2,456,886	0	0	0.6
HB 19-1132 School incentives to use Colorado food and produce	506,313	506,313	0	0	0	0.1
HB 19-1002 Leadership professional development for school principals	478,686	478,686	0	0	0	0.1
HB 19-1277 Computer science grant program	250,000	250,000	0	0	0	0.0
SB 19-199 READ Act implementation	73,506	62,393	11,113	0	0	0.3
SB 18-200 (PERA)	57,105	3,016	17,686	1,801	34,602	0.0

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 18-1306 Improving educational stability for foster youth	23,800	23,800	0	0	0	0.0
HB 19-1171 Expand child nutrition school lunch protection	14,376	14,376	0	0	0	0.0
SB 19-204 Public school local accountability systems	1,170	1,170	0	0	0	0.1
HB 19-1236 Workforce diploma pilot program	21	21	0	0	0	0.0
SB 19-246 School finance	(1,100,000)	0	(1,100,000)	0	0	(0.7)
HB 19-1120 Youth mental health education and suicide prevention	(69,842)	(69,842)	0	0	0	(0.3)
SB 19-176 Expanding concurrent enrollment	(35,884)	(12,780)	(23,104)	0	0	(0.4)
HB 19-1110 Media literacy	(19,816)	(19,816)	0	0	0	0.0
SB 19-216 High school innovative learning pilot	(2,468)	(2,468)	0	0	0	0.0
<b>TOTAL</b>	<b>\$10,798,056</b>	<b>\$1,234,869</b>	<b>\$9,526,784</b>	<b>\$1,801</b>	<b>\$34,602</b>	<b>(0.2)</b>

**TECHNICAL ADJUSTMENTS:** The appropriation includes several technical adjustments, including most significantly:

- An increase of \$783,589 cash funds from the State Education Fund to align appropriations for Facility School Funding with the statutory formula and with projected pupil counts for FY 2020-21.
- A transfer of \$10.0 million federal funds and 4.0 FTE from the Appropriated Sponsored Programs line item in this subsection to the Schools of Choice line item in the Management and Administration section to consolidate funds directly related to charter schools and the Schools of Choice Office within the Schools of Choice line item.
- Elimination of an appropriation of \$240,000 cash funds from the State Education Fund previously appropriated to the Department of Education and then transferred to the Department of Higher Education to support rural teacher recruitment, retention, and professional development activities. The FY 2020-21 appropriation includes a direct appropriation of \$240,000 General Fund to the Department of Higher Education rather than the appropriation to the Department of Education and subsequent transfer to Higher Education.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 Salary survey	\$346,878	\$14,854	\$103,705	\$10,537	\$217,782	0.0
Annualize Long Bill supplemental	900,000	900,000	0	0	0	0.0
FY 19-20 R4 Funding for school turnaround	117,194	117,194	0	0	0	0.0
FY 19-20 R9 ELC educator talent priorities	(3,000,000)	(3,000,000)	1,500,000	(1,500,000)	0	0.0
FY 2019-20 R8 ELC career development priorities	(1,500,000)	(1,500,000)	0	0	0	0.0
Educator perception	(50,000)	(50,000)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$3,185,928)</b>	<b>(\$3,517,952)</b>	<b>\$1,603,705</b>	<b>(\$1,489,463)</b>	<b>\$217,782</b>	<b>0.0</b>

**BEHAVIORAL HEALTH CARE PROFESSIONALS GRANTS DECREASE:** The appropriation includes a decrease of \$3.0 million cash funds from the Marijuana Tax Cash Fund (20.0 percent) below the FY 2019-20 appropriation for the Behavioral Health Care Professionals Matching Grant Program. This is a budget balancing action.

**OTHER BUDGET BALANCING ACTIONS:** The appropriation includes a reduction of \$2,940,804 total funds, including \$1,900,804 General Fund, as a result of other budget balancing actions.

## OTHER BUDGET BALANCING ACTIONS

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Eliminate ELL Excellence Awards	(\$500,000)	\$0	(\$500,000)	\$0	\$0	0.0
Reduce Computer Science Education Grants	(500,000)	0	(500,000)	0	0	0.0
Reduce career development success program	(500,000)	(500,000)	0	0	0	0.0
Eliminate local accountability grants	(494,267)	(494,267)	0	0	0	(0.5)
Reduce school leadership pilot	(375,807)	(375,807)	0	0	0	0.0
Reduce AP exam fees grants	(280,730)	(280,730)	0	0	0	0.0
Delay automatic enrollment in advanced courses grants	(250,000)	(250,000)	0	0	0	(0.3)
Quality teacher recruitment adjustment	(40,000)	0	(40,000)	0	0	0.0
<b>TOTAL</b>	<b>(\$2,940,804)</b>	<b>(\$1,900,804)</b>	<b>(\$1,040,000)</b>	<b>\$0</b>	<b>\$0</b>	<b>(0.8)</b>

**ELIMINATE NATIONAL BOARD STIPENDS:** The appropriation includes a decrease of \$2.1 million cash funds from the State Education Fund to eliminate the Stipends for National Board Certified Educators line item for FY 2020-21. This is a budget balancing action.

**BULLYING PREVENTION REDUCTION:** The appropriation includes a decrease of \$1.0 million cash funds from the Marijuana Tax Cash Fund for the School Bullying Prevention Fund line item, a 50.0 percent reduction below the FY 2019-20 appropriation. This is a budget balancing action.

**DELAY NINTH GRADE SUCCESS PROGRAM:** The appropriation includes a decrease of \$800,000 General Fund and 0.6 FTE to delay the implementation of the Ninth Grade Success Program created in S.B. 19-246 (School Finance). This is a budget balancing action.

**WORKFORCE DIPLOMA PILOT DECREASE:** The appropriation includes a decrease of \$800,000 General Fund (79.0 percent) for the Workforce Diploma Pilot Program created in H.B. 19-1236 (Workforce Diploma Pilot Program). This is a budget balancing action.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## INDIRECT COST ASSESSMENT

This subsection reflects all of the indirect cost assessments against fund sources within the Assistance to Public Schools division. Major fund sources include federal funds in the Special Education Programs for Children with Disabilities line item and the Appropriated Sponsored Programs line item, with relatively minor contributions from cash and reappropriated fund sources within the division.

INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$2,756,885	\$0	\$25,000	\$55,571	\$2,676,314	0.0
<b>TOTAL</b>	<b>\$2,756,885</b>	<b>\$0</b>	<b>\$25,000</b>	<b>\$55,571</b>	<b>\$2,676,314</b>	<b>0.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$2,756,885	\$0	\$25,000	\$55,571	\$2,676,314	0.0
Indirect cost assessment	450,202	0	0	0	450,202	0.0
<b>HB 20-1360</b>	<b>\$3,207,087</b>	<b>\$0</b>	<b>\$25,000</b>	<b>\$55,571</b>	<b>\$3,126,516</b>	<b>0.0</b>
<b>TOTAL</b>	<b>\$3,207,087</b>	<b>\$0</b>	<b>\$25,000</b>	<b>\$55,571</b>	<b>\$3,126,516</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$450,202</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$450,202</b>	<b>0.0</b>
Percentage Change	16.3%	n/a	0.0%	0.0%	16.8%	n/a

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

### LIBRARY PROGRAMS

This section contains appropriations for all library-related programs and staff. There are approximately 1,800 publicly-funded libraries in Colorado, including libraries operated by school districts, higher education institutions, and counties and municipalities, as well as institutional libraries at nursing homes, correctional facilities, and similar institutions. State library programs, which provide support to locally-funded libraries, are primarily supported by General Fund and federal funds. Cash fund sources include grants and donations. Reappropriated funds are transferred from the Colorado Disabled Telephone Users Fund to the Reading Services for the Blind Cash Fund and are used to support privately operated reading services for the blind.

LIBRARY PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$9,416,880	\$5,390,864	\$281,686	\$510,000	\$3,234,330	38.1
HB 19-1332	250,000	0	0	250,000	0	0.0
<b>TOTAL</b>	<b>\$9,666,880</b>	<b>\$5,390,864</b>	<b>\$281,686</b>	<b>\$760,000</b>	<b>\$3,234,330</b>	<b>38.1</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$9,666,880	\$5,390,864	\$281,686	\$760,000	\$3,234,330	38.1
Continue talking book library funds	200,000	0	0	200,000	0	0.0
Annualize prior year budget actions	74,863	20,274	4,892	0	49,697	0.0
Other budget balancing actions	(500,000)	(500,000)	0	0	0	0.0
Annualize prior year legislation	(237,153)	4,117	834	(250,000)	7,896	0.0
<b>HB 20-1360</b>	<b>\$9,204,590</b>	<b>\$4,915,255</b>	<b>\$287,412</b>	<b>\$710,000</b>	<b>\$3,291,923</b>	<b>38.1</b>
<b>TOTAL</b>	<b>\$9,204,590</b>	<b>\$4,915,255</b>	<b>\$287,412</b>	<b>\$710,000</b>	<b>\$3,291,923</b>	<b>38.1</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$462,290)</b>	<b>(\$475,609)</b>	<b>\$5,726</b>	<b>(\$50,000)</b>	<b>\$57,593</b>	<b>0.0</b>
Percentage Change	(4.8%)	(8.8%)	2.0%	(6.6%)	1.8%	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**CONTINUE TALKING BOOK LIBRARY FUNDS:** The appropriation includes \$200,000 reappropriated funds, originating in the Colorado Telephone Users with Disabilities Fund in the Department of Regulatory Agencies, for the Colorado Talking Book Library.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$74,863 total funds, including \$20,274 General Fund, to annualize salary survey appropriations provided for FY 2019-20.

**OTHER BUDGET BALANCING ACTIONS:** The appropriation includes a decrease of \$500,000 General Fund for the State Grants to Publicly-Supported Libraries Program.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation, including: an increase of \$12,847 total funds associated with S.B. 18-200 (Eliminate Unfunded PERA Liability) and a decrease of \$250,000 reappropriated funds associated with H.B. 19-1332 (Disabled Telephone Users Fund). However, as discussed above, the appropriation restores \$200,000 reappropriated funds for the Colorado Talking Book Library associated with H.B. 19-1332.

## SCHOOL FOR THE DEAF AND THE BLIND

This section contains appropriations for the operation of the Colorado School for the Deaf and the Blind (CSDB), which is located in Colorado Springs. The CSDB provides educational services for children throughout the state who are deaf, hard of hearing, blind, or visually impaired, and under the age of 21. In FY 2019-20, the CSDB had an on-campus enrollment of 200 students (ages 3 to 21). The on-campus enrollment included 127 deaf/hard of hearing students and 73 blind/low vision students. Of the 200 total students, an average of 63 resided at CSDB (returning home on weekends), and the remaining 137 students attended classes only during the day. In addition to the on-campus enrollment, the school provided in-home services to 476 children from birth to age 3 (and their families) through the early intervention (CO-Hears) program and 166 children from birth to age 8 through the Early Literacy Development Initiative (ELDI). The school also provided outreach services to 125 school-age students being served in local districts, supported in part by fees paid by the local school districts.

The General Fund provides the primary source of funding for the CSDB. However, the CSDB also receives State Education Fund money that is reappropriated from the Facility School Funding line item. Similar to community-based residential facilities that operate education programs, the CSDB is permitted to receive up to 1.73 times the *statewide base per pupil funding* level, based on the number of instructional days in the School's calendar. The CSDB also receives other sources of state and federal funding (e.g., Medicaid and nutrition funding), tuition from other states that place children at CSDB, payments from school districts that place students at CSDB on a short-term basis for diagnostic purposes, and various grants and fees. The General Assembly appropriates General Fund to cover operating costs that are not covered by other funding sources.

SCHOOL FOR THE DEAF AND THE BLIND						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$17,101,667	\$12,288,455	\$1,080,522	\$3,732,690	\$0	180.2
HB 20-1360	0	0	0	0	0	0.0
<b>TOTAL</b>	<b>\$17,101,667</b>	<b>\$12,288,455</b>	<b>\$1,080,522</b>	<b>\$3,732,690</b>	<b>\$0</b>	<b>180.2</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$17,101,667	\$12,288,455	\$1,080,522	\$3,732,690	\$0	180.2
Annualize prior year budget actions	220,974	197,845	4,377	18,752	0	0.0
CSDB utilities	59,542	59,542	0	0	0	0.0
Annualize prior year legislation	44,129	40,177	747	3,205	0	0.0
Fund source adjustments	0	(2,638)	0	2,638	0	0.0
Technical adjustments	(255,724)	0	(15,646)	(240,078)	0	(3.0)
Centrally appropriated items	(1,472)	(1,472)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$17,169,116</b>	<b>\$12,581,909</b>	<b>\$1,070,000</b>	<b>\$3,517,207</b>	<b>\$0</b>	<b>177.2</b>
<b>TOTAL</b>	<b>\$17,169,116</b>	<b>\$12,581,909</b>	<b>\$1,070,000</b>	<b>\$3,517,207</b>	<b>\$0</b>	<b>177.2</b>
<b>INCREASE/(DECREASE)</b>	<b>\$67,449</b>	<b>\$293,454</b>	<b>(\$10,522)</b>	<b>(\$215,483)</b>	<b>\$0</b>	<b>(3.0)</b>
Percentage Change	0.4%	2.4%	(1.0%)	(5.8%)	n/a	(1.7%)

## FY 2019-20 APPROPRIATION – MID-YEAR ADJUSTMENTS

House Bill 20-1360 includes a net-zero adjustment to move \$43,500 General Fund between line items in the Colorado School for the Deaf and the Blind to allow the school to purchase new reading curricula within its existing FY 2019-20 appropriation.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$220,974 total funds, including \$197,845 General Fund, to annualize salary survey appropriations provided for FY 2019-20.

**CSDB UTILITIES:** The appropriation includes an increase of \$59,452 General Fund to accommodate projected increases in utility costs at the Colorado School for the Deaf and the Blind in FY 2020-21.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation adds \$44,149 total funds, including \$40,177 General Fund, to reflect the FY 2020-21 impact of S.B. 18-200 (Eliminate Unfunded PERA Liability).

**FUND SOURCE ADJUSTMENTS:** The appropriation includes a decrease in General Fund that is offset by an increase in reappropriated funds transferred from the Facility School Funding line item.

**TECHNICAL ADJUSTMENTS:** The appropriation includes decreases in appropriations of cash and reappropriated funds to better align with actual revenues and expenditures.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items for shift differential and vehicle lease payments.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## Details

# GOVERNOR – LIEUTENANT GOVERNOR – STATE PLANNING AND BUDGETING

## FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

GOVERNOR - LIEUTENANT GOVERNOR - STATE PLANNING AND BUDGETING						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$426,015,599</b>	<b>\$73,898,493</b>	<b>\$51,577,746</b>	<b>\$293,687,073</b>	<b>\$6,852,287</b>	<b>1,161.7</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Office of the Governor	23,579,558	9,105,383	8,999,745	1,170,307	4,304,123	59.7
Office of the Lieutenant Governor	941,947	940,763	1,184	0	0	7.0
Office of State Planning and Budgeting	5,232,054	1,216,136	2,308,439	1,707,479	0	21.4
Economic Development Programs	78,766,645	41,030,555	35,048,635	260,291	2,427,164	60.6
Office of Information Technology	317,495,395	21,605,656	5,219,743	290,548,996	121,000	1,013.0
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$392,560,806	\$43,065,857	\$51,422,681	\$291,174,828	\$6,897,440	1,152.7
SB 19-006	10,000,000	9,183,000	0	817,000	0	0.0
SB 19-073	750,000	0	0	750,000	0	0.0
SB 19-143	25,200	0	0	25,200	0	0.0
SB 19-165	5,936	0	0	5,936	0	0.0
SB 19-178	60,204	0	0	60,204	0	0.0
SB 19-223	454,539	0	0	454,539	0	0.9
SB 19-235	136,240	0	0	136,240	0	0.0
SB 19-251	775,000	775,000	0	0	0	2.0
SB 19-256	16,590	0	0	16,590	0	0.0
HB 19-1009	2,620	0	0	2,620	0	0.0
HB 19-1127	74,537	74,537	0	0	0	0.0
HB 19-1287	160,206	0	0	160,206	0	1.4
HB 19-1309	130,065	0	130,065	0	0	0.0
SB 20-222	20,000,000	20,000,000	0	0	0	0.0
HB 20-1245	863,656	800,099	25,000	83,710	(45,153)	4.7
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$375,448,511</b>	<b>\$52,762,694</b>	<b>\$25,289,951</b>	<b>\$290,822,049</b>	<b>\$6,573,817</b>	<b>1,178.9</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Office of the Governor	23,498,779	9,581,757	8,625,119	1,264,100	4,027,803	60.6
Office of the Lieutenant Governor	841,947	840,763	1,184	0	0	7.0
Office of State Planning and Budgeting	5,565,606	1,216,136	2,641,991	1,707,479	0	21.4
Economic Development Programs	44,006,016	27,965,994	13,354,717	260,291	2,425,014	63.1
Office of Information Technology	301,536,163	13,158,044	666,940	287,590,179	121,000	1,026.8
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 20-003	(1,000,000)	(1,000,000)	0	0	0	0.0
SB 20-028	(74,620)	(74,620)	0	0	0	0.0
SB 20-162	242,250	0	0	242,250	0	0.0
SB 20-163	10,022	0	0	10,022	0	0.0
SB 20-200	(1,197,552)	(1,197,552)	0	0	0	0.0
HB 20-1153	112,931	0	112,931	0	0	0.9
HB 20-1360	389,113,937	43,115,696	46,715,872	292,708,552	6,573,817	1,178.0



GOVERNOR - LIEUTENANT GOVERNOR - STATE PLANNING AND BUDGETING						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 20-1379	(2,427,624)	(230,830)	(58,019)	(2,138,775)	0	0.0
HB 20-1399	(9,330,833)	12,150,000	(21,480,833)	0	0	0.0
<b>INCREASE/(DECREASE)</b>	<b>(\$50,567,088)</b>	<b>(\$21,135,799)</b>	<b>(\$26,287,795)</b>	<b>(\$2,865,024)</b>	<b>(\$278,470)</b>	<b>17.2</b>
Percentage Change	(11.9%)	(28.6%)	(51.0%)	(1.0%)	(4.1%)	1.5%

<sup>1</sup> Includes appropriations from the CARE subfund in the General Fund for FY 2019-20.

**CARE SUBFUND IN THE GENERAL FUND:** Federal H.R. 748, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, created the \$150.0 billion Coronavirus Relief Fund, which was allocated to states, tribal governments, territories, and local governments to address costs directly related to the novel coronavirus, COVID-19. Colorado's state government received a total allocation of \$1,673,849,579 from the Coronavirus Relief Fund, and of this amount, \$70,000,000 was transferred to the General Fund through Executive Order D 2020 070 and placed in the CARE subfund for appropriation by the General Assembly. The table below shows the amount appropriated from the CARE subfund for FY 2020-21 for small business development assistance through legislation enacted in the 2020 legislative session.

Federal law requires that this funding is to be used to cover those expenditures that:

- 1 are necessary expenditures incurred due to the public health emergency with respect to COVID-19;
- 2 were not accounted for in the budget most recently approved as of the date of enactment of this section for the State or government; and
- 3 were incurred during the period that begins March 1, 2020, and ends on December 30, 2020.

For additional information on CARE subfund appropriations, see Appendix D.

GENERAL FUND SUMMARY	TOTAL GENERAL FUND	GENERAL FUND	CARE SUBFUND IN THE GENERAL FUND
FY 2019-20	\$73,898,493	\$53,898,493	\$20,000,000
FY 2020-21	\$52,762,694	\$52,762,694	\$0

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department are annotated with the "(I)". For additional information, see Appendix E.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$20,373,817	\$0	\$13,800,000	\$0	\$6,573,817

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### OFFICE OF THE GOVERNOR

The Office of the Governor (division) oversees operation of the executive branch of state government including coordination, direction, and planning of agency operations. The Office represents the state, and serves as a liaison with local and federal governments. This section includes the core functions of a traditional executive director's office and the Colorado Energy Office.

OFFICE OF THE GOVERNOR						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$23,480,021	\$8,985,693	\$8,974,745	\$1,170,307	\$4,349,276	59.7
HB 19-1127	74,537	74,537	0	0	0	0.0
HB 20-1245	25,000	45,153	25,000	0	(45,153)	0.0
<b>TOTAL</b>	<b>\$23,579,558</b>	<b>\$9,105,383</b>	<b>\$8,999,745</b>	<b>\$1,170,307</b>	<b>\$4,304,123</b>	<b>59.7</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$23,579,558	\$9,105,383	\$8,999,745	\$1,170,307	\$4,304,123	59.7
Move education leadership funds	100,000	100,000	0	0	0	0.0
Indirect cost adjustment	39,404	37,763	1,641	0	0	0.0
Continue mansion maintenance appropriation	25,000	0	25,000	0	0	0.0
Annualize prior year budget actions	(25,000)	(45,153)	(25,000)	0	45,153	0.0
Centrally appropriated line items	(8,256)	594,361	(431,179)	150,035	(321,473)	0.0
<b>HB 20-1360</b>	<b>23,710,706</b>	<b>9,792,354</b>	<b>8,570,207</b>	<b>1,320,342</b>	<b>4,027,803</b>	<b>59.7</b>
HB 20-1153	112,931	0	112,931	0	0	0.9
HB 20-1379	(324,858)	(210,597)	(58,019)	(56,242)	0	0.0
<b>TOTAL</b>	<b>\$23,498,779</b>	<b>\$9,581,757</b>	<b>\$8,625,119</b>	<b>\$1,264,100</b>	<b>\$4,027,803</b>	<b>60.6</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$80,779)</b>	<b>\$476,374</b>	<b>(\$374,626)</b>	<b>\$93,793</b>	<b>(\$276,320)</b>	<b>0.9</b>
Percentage Change	(0.3%)	5.2%	(4.2%)	8.0%	(6.4%)	1.5%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1245 modifies FY 2019-20 appropriations to:

- Add \$25,000 cash funds from the Governor's Mansion Maintenance Fund for routine and other maintenance around the grounds of the Governor's Residence and Carriage House. Created by S.B. 18-208 (Mansion Maintenance Fund), the first transfer into the fund occurred in August 2019 and the current balance is \$39,712. Funds transferred originate as fees paid to the Governor's Office for rental activities that exceed the operational costs for the previous fiscal year; and
- Modify fund sources for PERA direct distribution payments, which help to address PERA's unfunded liability. The bill replaces federal funds determined to be uncollectible with General Fund appropriations.

## FY 2020-21 APPROPRIATION – H.B. 19-1360 (LONG BILL) ISSUE DESCRIPTIONS

**MOVE EDUCATION LEADERSHIP FUNDS:** The appropriation includes an increase of \$100,000 General Fund in the Governor's Office (division) and a corresponding reduction of \$100,000 General Fund in the Lieutenant Governor's Office (division), which represents appropriations for the Education Leadership Council (ELC). Under the prior administration, the ELC was managed by the Lieutenant Governor's chief of staff, who assumed responsibility for coordinating meetings and working with Commission members to develop policy priorities. The current administration has chosen the senior education policy advisor for education in the Governor's office to assume these responsibilities. Transferring funds from one division to the other aligns the budget with the management of the programming.

**INDIRECT COST ADJUSTMENT:** The appropriation includes a net increase in the department's indirect cost assessment.

**CONTINUE MANSION MAINTENANCE APPROPRIATION:** The appropriation includes an increase of \$25,000 cash funds from the Governor's Mansion Maintenance and Emergency Fund to provide spending authority from the fund. Revenue to the fund is primarily in the form of facilities fees paid to rent different areas at the Governor's residence.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out year impact of prior year budget actions for salary survey and the supplemental appropriation bill.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to the following centrally appropriated line items: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; PERA direct distributions; shift differential; workers' compensation; legal services; administrative law judges; payment to risk management and property funds; vehicle lease payments; payments to the Governor's Office of Information Technology (OIT); and CORE operations. The appropriation includes a Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## OFFICE OF THE LIEUTENANT GOVERNOR

The Office of the Lieutenant Governor directly oversees the Colorado Commission of Indian Affairs, Commission on Community Service, and other initiatives. The Lieutenant Governor temporarily takes the Governor's place if the Governor is out of Colorado or is unable to perform his/her duties.

OFFICE OF THE LIEUTENANT GOVERNOR						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$941,947	\$940,763	\$1,184	\$0	\$0	7.0
<b>TOTAL</b>	<b>\$941,947</b>	<b>\$940,763</b>	<b>\$1,184</b>	<b>\$0</b>	<b>\$0</b>	<b>7.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$941,947	\$940,763	\$1,184	\$0	\$0	7.0
Move education leadership funds	(100,000)	(100,000)	0	0	0	0.0
HB 20-1360	841,947	840,763	1,184	0	0	7.0
<b>TOTAL</b>	<b>\$841,947</b>	<b>\$840,763</b>	<b>\$1,184</b>	<b>\$0</b>	<b>\$0</b>	<b>7.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$100,000)</b>	<b>(\$100,000)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	(10.6%)	(10.6%)	0.0%	n/a	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 19-1360 (LONG BILL) ISSUE DESCRIPTIONS

**MOVE EDUCATION LEADERSHIP FUNDS:** The appropriation includes an increase of \$100,000 General Fund in the Governor's Office (division) and a corresponding reduction of \$100,000 General Fund in the Lieutenant Governor's Office (division), which represents appropriations for the Education Leadership Council (ELC). Under the prior administration, the ELC was managed by the Lieutenant Governor's chief of staff, who assumed responsibility for coordinating meetings and working with Commission members to develop policy priorities. The current administration has chosen the senior education policy advisor for education in the Governor's office to assume these responsibilities. Transferring funds from one division to the other aligns the budget with the management of the programming.

## OFFICE OF STATE PLANNING AND BUDGETING

The Office of State Planning and Budgeting (OSPB) develops executive branch budget requests, reviews and analyzes departmental expenditures, and prepares quarterly revenue and economic estimates for the state. Additionally, the Office implements the Results First initiative, a cost benefit analysis model initially developed by the Washington State Institute for Public Policy, and now supported by the Pew Charitable Trusts and the MacArthur Foundation, that aims to determine the monetary value of state policies and programs.

OFFICE OF STATE PLANNING AND BUDGETING						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$5,232,054	\$1,216,136	\$2,308,439	\$1,707,479	\$0	21.4
<b>TOTAL</b>	<b>\$5,232,054</b>	<b>\$1,216,136</b>	<b>\$2,308,439</b>	<b>\$1,707,479</b>	<b>\$0</b>	<b>21.4</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$5,232,054	\$1,216,136	\$2,308,439	\$1,707,479	\$0	21.4
Annualize prior year legislation	333,552	0	333,552	0	0	0.0
HB 20-1360	5,565,606	1,216,136	2,641,991	1,707,479	0	21.4
<b>TOTAL</b>	<b>\$5,565,606</b>	<b>\$1,216,136</b>	<b>\$2,641,991</b>	<b>\$1,707,479</b>	<b>\$0</b>	<b>21.4</b>
<b>INCREASE/(DECREASE)</b>	\$333,552	\$0	\$333,552	\$0	\$0	0.0
Percentage Change	6.4%	0.0%	14.4%	0.0%	n/a	0.0%

### FY 2020-21 APPROPRIATION – H.B. 19-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an increase of \$333,552 cash funds related to H.B. 18-1325 (Digital Trunked Radio Gaps).

## ECONOMIC DEVELOPMENT PROGRAMS

The Office of Economic Development and International Trade (OEDIT) assists in strengthening Colorado's prospects for long-term economic growth by providing broad-based support to businesses. The Office provides services that include business funding and incentives, promotion of creative industries, international trade assistance, tourism promotion, minority business assistance, key industry promotion (including advanced industries, aerospace, and health and wellness), and film, television, and media industry development.

ECONOMIC DEVELOPMENT PROGRAMS						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$58,766,645	\$21,030,555	\$35,048,635	\$260,291	\$2,427,164	60.6
SB 20-222	20,000,000	20,000,000	0	0	0	0.0
HB 20-1245	0	0	0	0	0	0.0
<b>TOTAL</b>	<b>\$78,766,645</b>	<b>\$41,030,555</b>	<b>\$35,048,635</b>	<b>\$260,291</b>	<b>\$2,427,164</b>	<b>60.6</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$78,766,645	\$41,030,555	\$35,048,635	\$260,291	\$2,427,164	60.6
Creative district interest spending authority	10,786	0	10,786	0	0	0.0
Centrally appropriated line items	7,002	7,002	0	0	0	0.0
Add Outdoor Recreation Office line item	0	0	0	0	0	3.0
Prior year legislation	(20,000,000)	(20,000,000)	0	0	0	0.0
Suspend GF for Colorado Tourism Office promotion	(2,000,000)	(2,000,000)	0	0	0	0.0
Tourism Office reductions	(1,945,976)	(1,945,976)	0	0	0	0.0

ECONOMIC DEVELOPMENT PROGRAMS						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Suspend GF for Colorado Film Office	(500,000)	(500,000)	0	0	0	0.0
Suspend GF for Destination Development program	(500,000)	(500,000)	0	0	0	0.0
Prior year budget action	(275,587)	(55,587)	(220,000)	0	0	(0.5)
PTAC technical	(220,000)	(220,000)	0	0	0	0.0
Administrative funds technical	(4,585)	0	(2,435)	0	(2,150)	0.0
Fund source adjustment	(1,436)	0	(1,436)	0	0	0.0
<b>HB 20-1360</b>	<b>53,336,849</b>	<b>15,815,994</b>	<b>34,835,550</b>	<b>260,291</b>	<b>2,425,014</b>	<b>63.1</b>
HB 20-1399	(9,330,833)	12,150,000	(21,480,833)	0	0	0.0
<b>TOTAL</b>	<b>\$44,006,016</b>	<b>\$27,965,994</b>	<b>\$13,354,717</b>	<b>\$260,291</b>	<b>\$2,425,014</b>	<b>63.1</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$34,760,629)</b>	<b>(\$13,064,561)</b>	<b>(\$21,693,918)</b>	<b>\$0</b>	<b>(\$2,150)</b>	<b>2.5</b>
Percentage Change	(44.1%)	(31.8%)	(61.9%)	0.0%	(0.1%)	4.1%

<sup>1</sup> Includes appropriations from the CARE subfund in the General Fund for FY 2019-20.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

Senate Bill 20-222 modifies FY 2019-20 appropriations to add \$20,000,000 from the CARE subfund of the General Fund to the Office of Economic Development and International Trade for grants administered in conjunction with Colorado Housing and Finance Authority to operate the Small Business COVID-19 grant program.

## FY 2020-21 APPROPRIATION – H.B. 19-1360 (LONG BILL) ISSUE DESCRIPTIONS

**CREATIVE DISTRICT INTEREST SPENDING AUTHORITY:** The appropriation includes a one-time increase of \$10,786 cash funds to support the Colorado Creative Districts program. The funding represents interest collected on loans made to creative districts. The Creative District program offers eligible districts access to project funding through the loan fund, tailored technical assistance, networking and training programs, and professional development.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items for vehicle lease payments.

**ADD OUTDOOR RECREATION OFFICE LINE ITEM:** The appropriation includes a transfer of \$370,000 General Fund and 3.0 FTE to a new line item for the Office of Outdoor Recreation. The appropriation transfers \$150,000 General Fund from the Colorado Promotion – Other Program Costs line item and \$220,000 from the Global Business Development line item to this newly created office.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for out-year impacts of prior year legislation for S.B. 20-222.

**SUSPEND GF FOR COLORADO TOURISM OFFICE PROMOTION:** The appropriation includes a one-time suspension of \$2,000,000 General Fund that had previously been appropriated for Colorado Tourism Office for Colorado promotion.

**TOURISM OFFICE REDUCTIONS:** The appropriation includes one-time reductions of \$1,945,976 General Fund, which represent budget reductions identified by the Office of Economic Development and International Trade.

**SUSPEND GF FOR COLORADO FILM OFFICE:** The appropriation includes a one-time reduction of \$500,000 General Fund for the Colorado Office of Film, Television, and Media.

**SUSPEND GF FOR DESTINATION DEVELOPMENT PROGRAM:** The appropriation includes a one-time reduction of \$500,000 General Fund for the Destination Development program.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out year impact of prior year budget actions, as detailed in the following table.

PRIOR YEAR BUDGET ACTION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
(OEDIT) Leased space contract escalator	\$6,124	\$6,124	\$0	\$0	\$0	0.0
(OEDIT) Procurement technical assistance center	(220,000)	0	(220,000)	0	0	0.0
(OEDIT) Annualize rural jump start	(40,492)	(40,492)	0	0	0	(0.5)
(OEDIT) PTAC supplemental	(21,219)	(21,219)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$275,587)</b>	<b>(\$55,587)</b>	<b>(\$220,000)</b>	<b>\$0</b>	<b>\$0</b>	<b>(0.5)</b>

**PTAC TECHNICAL:** The appropriation includes a reduction of \$220,000 General Fund, which had been appropriated for the first year operations for the Procurement Technical Assistance Program (PTAC). Direct transfers of General Fund to the continuously appropriated Procurement Technical Assistance Program Cash Fund occurred in subsequent years, however, this appropriation remained and was reverted.

**ADMINISTRATIVE FUNDS TECHNICAL:** The appropriation includes a decrease of \$4,585 in total funds from the Office of Economic Development and International Trade Administration line item, including \$2,435 in cash funds and \$2,150 in federal funds appropriated for administrative purposes. OEDIT's accounting team has indicated that OEDIT does not receive these funds.

**FUND SOURCE ADJUSTMENT:** The appropriation includes an increase in the amount of total department indirect cost recoveries applied, which is reflected in an increased appropriation of reappropriated funds with a small offset of cash funds.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## OFFICE OF INFORMATION TECHNOLOGY

The Governor's Office of Information Technology (OIT) is responsible for the operation and delivery of all information and communications technology services across state executive branch agencies. The Office is tasked with providing information technology services, as well as promoting Colorado as the ideal location for information technology companies and technology-based workers.

OFFICE OF INFORMATION TECHNOLOGY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$304,140,139	\$10,892,710	\$5,089,678	\$288,036,751	\$121,000	1,004.0
SB 19-006	10,000,000	9,183,000	0	817,000	0	0.0
SB 19-073	750,000	0	0	750,000	0	0.0
SB 19-143	25,200	0	0	25,200	0	0.0
SB 19-165	5,936	0	0	5,936	0	0.0
SB 19-178	60,204	0	0	60,204	0	0.0
SB 19-223	454,539	0	0	454,539	0	0.9
SB 19-235	136,240	0	0	136,240	0	0.0
SB 19-251	775,000	775,000	0	0	0	2.0
SB 19-256	16,590	0	0	16,590	0	0.0
HB 19-1009	2,620	0	0	2,620	0	0.0
HB 19-1287	160,206	0	0	160,206	0	1.4
HB 19-1309	130,065	0	130,065	0	0	0.0

OFFICE OF INFORMATION TECHNOLOGY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 20-1245	838,656	754,946	0	83,710	0	4.7
<b>TOTAL</b>	<b>\$317,495,395</b>	<b>\$21,605,656</b>	<b>\$5,219,743</b>	<b>\$290,548,996</b>	<b>\$121,000</b>	<b>1,013.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$317,495,395	\$21,605,656	\$5,219,743	\$290,548,996	\$121,000	1,013.0
DHS JAI operations and maintenance	4,168,851	0	0	4,168,851	0	0.0
Centrally appropriated line items	2,584,528	(12,189)	0	2,596,717	0	0.0
IT service and support management	1,250,000	0	0	1,250,000	0	0.0
Colorado Digital Services	1,240,560	0	0	1,240,560	0	7.0
Improve network stability and connectivity	1,130,900	0	0	1,130,900	0	0.0
DHS Replace phone systems	689,371	0	0	689,371	0	0.0
Customer-focused tools for common policy	679,188	0	0	679,188	0	0.0
Disaster recovery staff	349,657	0	0	349,657	0	2.0
Statewide data sharing pilot	279,075	0	0	279,075	0	2.0
NAT OGCC e-filing system	147,840	0	0	147,840	0	0.0
Fund source adjustment	99,908	0	0	99,908	0	0.0
COR DeCORuM operating costs	76,528	0	0	76,528	0	0.0
Annualize prior year budget actions	(9,005,384)	(754,946)	0	(8,250,438)	0	6.8
OIT Budget efficiencies	(5,592,367)	(67,098)	(1,231,938)	(4,293,331)	0	(3.0)
Annualize prior year legislation	(4,432,773)	(3,018,526)	(120,865)	(1,293,382)	0	(1.0)
Reduce Technology Advancement and Emergency fund	(3,200,000)	0	(3,200,000)	0	0	0.0
Eliminate funds no longer necessary to implement E-tax simplification	(2,302,448)	(2,302,448)	0	0	0	0.0
<b>HB 20-1360</b>	<b>305,658,829</b>	<b>15,450,449</b>	<b>666,940</b>	<b>289,420,440</b>	<b>121,000</b>	<b>1,026.8</b>
SB 20-003	(1,000,000)	(1,000,000)	0	0	0	0.0
SB 20-028	(74,620)	(74,620)	0	0	0	0.0
SB 20-162	242,250	0	0	242,250	0	0.0
SB 20-163	10,022	0	0	10,022	0	0.0
SB 20-200	(1,197,552)	(1,197,552)	0	0	0	0.0
HB 20-1379	(2,102,766)	(20,233)	0	(2,082,533)	0	0.0
<b>TOTAL</b>	<b>\$301,536,163</b>	<b>\$13,158,044</b>	<b>\$666,940</b>	<b>\$287,590,179</b>	<b>\$121,000</b>	<b>1,026.8</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$15,959,232)</b>	<b>(\$8,447,612)</b>	<b>(\$4,552,803)</b>	<b>(\$2,958,817)</b>	<b>\$0</b>	<b>13.8</b>
Percentage Change	(5.0%)	(39.1%)	(87.2%)	(1.0%)	0.0%	1.4%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1245 modifies FY 2019-20 appropriations to:

- Add \$754,946 General Fund for the Colorado Digital Services program to provide a pipeline of top technology talent focused on solving problems and building information technology systems for state employees and the public;
- Add \$83,710 reappropriated funds transferred from the Oil and Gas Conservation Commission in the Department of Natural Resources to develop an electronic filing system to manage hearing applications; and
- Adjust the footnote on the appropriation for the Colorado Benefits Management System to address delays in information technology projects, which extends the period spending authority was granted for FY 2020-21.

## FY 2020-21 APPROPRIATION – H.B. 19-1360 (LONG BILL) ISSUE DESCRIPTIONS

**DHS JAI OPERATIONS AND MAINTENANCE:** The appropriation includes \$4,168,851 reappropriated funds transferred from the Department of Human Services (DHS) for funding operations and maintenance of the Joint Agency Interoperability (JAI) Project. The Joint Agency Interoperability Project enables systems or applications to

exchange information to allow the Department, county employees, and external partners to better coordinate services provided to children, youth, and families in Colorado.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to the following centrally appropriated line items: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; PERA direct distributions; shift differential; workers' compensation; legal services; payment to risk management and property funds; vehicle lease payments; payments to the Governor's Office of Information Technology (OIT); and CORE operations. The appropriation includes a Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction.

**IT SERVICE AND SUPPORT MANAGEMENT:** The appropriation includes an increase of \$1,250,000 reappropriated funds in FY 2020-21 and beyond to support the purchase of licenses and ongoing maintenance for the upgraded and enhanced IT Service Management suite. This integrated tool will improve customer experience through a single hub for all customer needs and inquiries, faster processing with automated workflow, and better IT data with on-demand analysis.

**COLORADO DIGITAL SERVICES:** The appropriation includes an increase of \$1,240,560 reappropriated funds and 7.0 FTE for FY 2020-21. Colorado Digital Services is a group of IT professionals from the private sector that agree to take a term-limited position with the state. Working with program employees and career state IT professionals, Colorado Digital Services brings a new perspective to the table when IT projects stall, fail, or are otherwise "not on track."

**IMPROVE NETWORK STABILITY AND CONNECTIVITY:** The appropriation includes an increase of \$1,130,900 reappropriated funds in FY 2020-21, which is expected to increase to \$1,817,591 in FY 2021-22, and \$2,504,281 in FY 2022-23 and ongoing, to expand the Colorado State Network (CSN) Circuits service. The project is funded through payments made by user-agencies. This funding allows departments to take advantage of the redundancy and expansion capability now available through additional service providers. Costs associated with the service will continue to be budgeted and billed via OIT common policy based on the direct circuit costs incurred.

**DHS REPLACE PHONE SYSTEMS:** The appropriation includes \$689,371 reappropriated funds transferred from the Department of Human Services (DHS) for OIT to pursue installation of new phone systems at the Colorado Mental Health Institute at Pueblo.

**CUSTOMER-FOCUSED TOOLS FOR COMMON POLICY:** The appropriation includes an increase of \$679,188 in FY 2020-21, which will be adjusted to \$669,556 in FY 2021-22 and ongoing, to fund Customer Relationship Management (CRM) software and tools for financial planning and customer reporting. The source of funds is reappropriated funds allocated to user agencies. The funding provides OIT IT Directors, IT Program and Portfolio Managers, senior leadership, service owners, and the finance office with specific tools that enhance customer experience through each interaction and support financial transparency.

**DISASTER RECOVERY STAFF:** The appropriation includes an increase of \$349,657 reappropriated funds and 2.0 FTE in FY 2020-21, which will increase to \$390,594 and 2.0 FTE in FY 2021-22 and ongoing, to support the development of IT Disaster Recovery plans for approximately 148 essential and critical applications and ensure business continuity across departments. OIT successfully completed and implemented the Backup Colorado project in June 2017 to provide a robust backup and recovery solution for all department critical applications. As part of Backup Colorado, all OIT-managed applications and associated data are now protected via backup and recovery enterprise solutions. OIT also established infrastructure redundancy and data replication across its two main data centers to ensure no loss of data in the event of a disaster. The FY 2020-21 initiative adds dedicated staff to establish and maintain IT disaster recovery plans, as well as provide training and compliance sustainability.



**STATEWIDE DATA SHARING PILOT:** The appropriation includes an increase of \$279,075 reappropriated funds and 2.0 FTE to support staff and tools within OIT to improve standard and systematic data management, governance, and sharing across state departments.

**NAT OGCC E-FILING SYSTEM:** The appropriation includes \$147,840 reappropriated funds transferred from the Department of Natural Resources (NAT) for the Oil and Gas Conservation Commission (OGCC) to implement an e-filing system.

**FUND SOURCE ADJUSTMENT:** The appropriation includes an increase in the amount of total department indirect cost recoveries applied, which is reflected in an increased appropriation of reappropriated funds.

**COR DECORUM OPERATING COSTS:** The appropriation includes an increase of \$76,528 reappropriated funds transferred from the Department of Corrections to the Governor's Office of Information Technology for the maintenance costs associated with the offender records management system known as "DeCORuM."

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out year impact of prior year budget actions, as detailed in the following table.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
(OIT) FY19-20 GenTax	\$703,321	\$0	\$0	\$703,321		7.0
(OIT) Prior year salary survey	579,038	3,164	0	575,874		0.0
(OIT) FY19-20 UI management operating	474,020	0	0	474,020		4.5
(OIT) FY19-20 OS and productivity suite	441,122	0	0	441,122		0.0
(OIT) FY19-20 Enterprise data integration	270,594	0	0	270,594		0.0
(OIT) HCPF FY19-20 CBMS PEAK	160,909	0	0	160,909		0.0
(OIT) FY19-20 Securing IT operations	(6,793,854)	0	0	(6,793,854)		0.0
(OIT) FY19-20 DOC DeCORuM maintenance	(834,144)	0	0	(834,144)		0.0
(OIT) FY19-20 Medicaid enterprise operating costs	(829,109)	0	0	(829,109)		0.0
(OIT) HCPF FY19-20 Local administration transfer	(801,240)	0	0	(801,240)		0.0
(OIT) FY19-20 Transform customer experience	(796,000)	0	0	(796,000)		0.0
(OIT) FY19-20 CO Digital Services	(754,946)	(754,946)	0	0		(4.7)
(OIT) Prior year salary survey	(643,141)	(3,164)	0	(639,977)		0.0
(OIT) FY19-20 NP OGCC Electronic filing system	(83,710)	0	0	(83,710)		0.0
(OIT) FY19-20 Optimize self-service capabilities	(60,620)	0	0	(60,620)		0.0
(OIT) FY19-20 Essential database support	(37,624)	0	0	(37,624)		0.0
<b>TOTAL</b>	<b>(\$9,005,384)</b>	<b>(\$754,946)</b>	<b>\$0</b>	<b>(\$8,250,438)</b>		<b>6.8</b>

**OIT BUDGET EFFICIENCIES:** The appropriation includes a reduction of \$5,592,367 total funds in FY 2020-21 related to services provided by OIT to other state agencies. The changes are summarized by the type of services provided, which also follows the Office's budget structure.

OIT BUDGET EFFICIENCIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Voice and data	(\$2,200,000)	\$0	(\$1,200,000)	(\$1,000,000)	\$0	0.0
Server management	(1,945,120)	0	0	(1,945,120)	0	0.0
Applications	(541,802)	(67,098)	(31,938)	(442,766)	0	(1.0)
Central admin	(473,729)	0	0	(473,729)	0	(2.0)
Mainframe services	(222,714)	0	0	(222,714)	0	0.0
Network services	(209,002)	0	0	(209,002)	0	0.0

OIT BUDGET EFFICIENCIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>TOTAL</b>	<b>(\$5,592,367)</b>	<b>(\$67,098)</b>	<b>(\$1,231,938)</b>	<b>(\$4,293,331)</b>	<b>\$0</b>	<b>(3.0)</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for out-year impacts of prior year legislation as detailed in the following table.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$515,199	\$4,971	\$0	\$510,228	\$0	0.0
SB19-005 Import prescription medication	296,160	0	0	296,160	0	0.0
SB18-1299 Local government retirement plan technical correction	16,590	0	0	16,590	0	0.0
HB18-1325 Digital Trunked Radio Gaps	(2,000,000)	(2,000,000)	0	0	0	0.0
SB19-006 E-Sales and Use tax	(1,250,000)	(433,000)	0	(817,000)	0	0.0
SB19-251 Requirements of OIT	(590,497)	(590,497)	0	0	0	0.0
SB19-073 System for advance medical directives	(581,631)	0	0	(581,631)	0	0.0
SB19-223 Procedural competency	(344,884)	0	0	(344,884)	0	0.1
SB19-235 Automatic voter registration	(136,240)	0	0	(136,240)	0	0.0
HB19-1287 Treatment for opioids	(127,595)	0	0	(127,595)	0	(1.1)
HB19-1309 Mobile home park act	(121,945)	0	(120,865)	(1,080)	0	0.0
SB19-178 Subsidize adoption	(60,204)	0	0	(60,204)	0	0.0
SB19-143 Parole Changes	(25,200)	0	0	(25,200)	0	0.0
SB19-256 Electronic documents	(16,590)	0	0	(16,590)	0	0.0
SB19-165 Increase Parole Board	(5,936)	0	0	(5,936)	0	0.0
<b>TOTAL</b>	<b>(\$4,432,773)</b>	<b>(\$3,018,526)</b>	<b>(\$120,865)</b>	<b>(\$1,293,382)</b>	<b>\$0</b>	<b>(1.0)</b>

**REDUCE TECHNOLOGY ADVANCEMENT AND EMERGENCY FUND:** The appropriation eliminates future spending authority from the Technology Advancement and Emergency Fund the balance of which was transferred to the General Fund in FY 2019-20.

**ELIMINATE FUNDS NO LONGER NECESSARY TO IMPLEMENT E-TAX SIMPLIFICATION:** The appropriation includes a reduction of \$2,302,448 General Fund due to the project underway for the simplification of electronic filing of sales and use tax reports not requiring ongoing appropriations.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# Details

## DEPARTMENT OF HEALTH CARE POLICY AND FINANCING

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

DEPARTMENT OF HEALTH CARE POLICY AND FINANCING						
	TOTAL FUNDS	GENERAL FUND <sup>1,2,3</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$10,822,697,714</b>	<b>\$2,974,355,707</b>	<b>\$1,399,023,430</b>	<b>\$93,709,522</b>	<b>\$6,355,609,055</b>	<b>544.6</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Executive Director's Office	392,761,691	86,668,223	54,305,957	4,514,382	247,273,129	504.2
Medical Services Premiums	8,068,145,752	2,143,658,482	1,020,585,026	88,970,140	4,814,932,104	0.0
Behavioral Health Community Programs	726,935,199	191,513,555	36,384,994	0	499,036,650	0.0
Office of Community Living	665,168,803	318,433,010	7,054,129	0	339,681,664	40.4
Indigent Care Program	539,024,580	9,532,065	205,997,723	0	323,494,792	0.0
Other Medical Services	311,825,441	169,931,656	72,806,698	225,000	68,862,087	0.0
Department of Human Services Medicaid-Funded Programs	118,836,248	54,618,716	1,888,903	0	62,328,629	0.0
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$10,657,855,447	\$3,136,842,180	\$1,385,028,692	\$93,615,672	\$6,042,368,903	532.8
SB 19-005	971,802	1,041,802	0	0	(70,000)	4.1
SB 19-195	1,391,387	619,484	0	0	771,903	3.9
SB 19-209	13,510,958	6,755,479	0	0	6,755,479	0.0
SB 19-222	150,000	51,000	24,000	0	75,000	0.0
SB 19-238	11,427,252	5,682,377	0	0	5,744,875	0.0
SB 19-254	250,000	0	250,000	0	0	0.0
HB 19-1004	150,000	150,000	0	0	0	0.0
HB 19-1038	439,425	0	66,955	0	372,470	0.0
HB 19-1176	92,649	92,649	0	0	0	0.0
HB 19-1269	334,001	113,560	53,440	0	167,001	3.0
HB 19-1287	63,922	21,733	10,228	0	31,961	0.8
HB 19-1302	2,425,021	0	857,783	0	1,567,238	0.0
HB 20-1246	58,693,753	42,828,599	41,789,018	0	(25,923,864)	0.0
HB 20-1360	74,942,097	(195,109,211)	(53,790,631)	93,850	323,748,089	0.0
HB 20-1385	0	(24,733,945)	24,733,945	0	0	0.0
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$12,033,835,747</b>	<b>\$3,184,706,003</b>	<b>\$1,767,368,404</b>	<b>\$45,956,525</b>	<b>\$7,035,804,815</b>	<b>556.7</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Executive Director's Office	407,415,091	91,276,960	58,381,094	4,352,565	253,404,472	519.2
Medical Services Premiums	9,031,460,335	2,250,293,584	1,393,285,900	41,603,960	5,346,276,891	0.0
Behavioral Health Community Programs	959,410,239	249,860,102	54,860,438	0	654,689,699	0.0
Office of Community Living	700,631,156	330,377,776	11,118,976	0	359,134,404	37.5
Indigent Care Program	493,375,663	31,189,425	172,908,670	0	289,277,568	0.0
Other Medical Services	319,611,267	175,554,017	74,924,423	0	69,132,827	0.0
Department of Human Services Medicaid-Funded Programs	121,931,996	56,154,139	1,888,903	0	63,888,954	0.0
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360	\$12,048,019,640	\$3,370,498,402	\$1,582,848,138	\$48,000,598	\$7,046,672,502	560.6

DEPARTMENT OF HEALTH CARE POLICY AND FINANCING						
	TOTAL FUNDS	GENERAL FUND <sup>1,2,3</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 20-033	100,000	50,000	0	0	50,000	0.0
SB 20-057	1,954	977	0	0	977	0.0
SB 20-212	5,068,381	5,068,381	0	0	0	0.0
HB 20-1361	(5,565,000)	(331,462)	(1,139,402)	0	(4,094,136)	0.0
HB 20-1362	(7,011,151)	(3,288,230)	0	0	(3,722,921)	0.0
HB 20-1379	(977,212)	(880,628)	(74,277)	(22,307)	0	0.0
HB 20-1384	(1,490,063)	(677,492)	0	0	(812,571)	(3.9)
HB 20-1385	(4,310,802)	(24,733,945)	24,733,945	(2,021,766)	(2,289,036)	0.0
HB 20-1386	0	(161,000,000)	161,000,000	0	0	0.0
<b>INCREASE/(DECREASE)</b>	<b>\$1,211,138,033</b>	<b>\$210,350,296</b>	<b>\$368,344,974</b>	<b>(\$47,752,997)</b>	<b>\$680,195,760</b>	<b>12.1</b>
Percentage Change	11.2%	7.1%	26.3%	(51.0%)	10.7%	2.2%

<sup>1</sup> Includes General Fund Exempt.

<sup>2</sup> Includes \$391,683 in FY 2019-20 and \$387,132 in FY 2020-21 that is not subject to the statutory restriction on state General Fund appropriations imposed by Section 24-75-201.1, C.R.S.

<sup>3</sup> Includes appropriations from the CARE subfund in the General Fund for FY 2020-21.

**GENERAL FUND EXEMPT AND CARE SUBFUND IN THE GENERAL FUND:** Amounts in the General Fund column include appropriations from the following accounts:

- General Fund
- General Fund Exempt
- CARE subfund in the General Fund

General Fund Exempt: Amounts in the General Fund column include appropriations from both the General Fund and General Fund Exempt. Appropriations for this department include two different types of General Fund Exempt, which are described below.

- The General Fund Exempt Account was created by Referendum C, passed by Colorado voters in November 2005. Referendum C allowed the State to retain for FY 2005-06 through FY 2009-10 all revenue collected in excess of the TABOR limit and for FY 2010-11 and subsequent fiscal years all revenues in excess of the TABOR limit but less than the excess state revenues cap. The retained revenue must be placed in the General Fund Exempt Account. Money in the General Fund Exempt Account is appropriated to this department for the purposes of funding health care for Colorado's elderly, low-income, and disabled populations pursuant to Sections 24-77-103.6 (2)(a) and 24-77-104.5 (2)(a)(I), C.R.S.
- Amendment 35, which was approved by voters in November 2004, imposed new cigarette and tobacco taxes through the addition of Section 21 in Article X of the State Constitution. The new tobacco tax revenues authorized by Amendment 35 are exempt from the TABOR state fiscal year spending limit, and General Fund appropriations from these revenues are also exempt from the statutory restriction on General Fund appropriations. Amendment 35 requires that a portion of the new tobacco tax revenues be appropriated to the General Fund and made available to this department for the Children's Basic Health Plan.

The table below reflects General Fund Exempt appropriations for FY 2019-20 and FY 2020-21 from both of the sources described above.

**CARE subfund in the General Fund:** Federal H.R. 748, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, created the \$150.0 billion Coronavirus Relief Fund, which was allocated to states, tribal governments, territories, and local governments to address costs directly related to the novel coronavirus, COVID-19. Colorado's state government received a total allocation of \$1,673,849,579 from the Coronavirus Relief Fund, and of this amount, \$70,000,000 was transferred to the General Fund through Executive Order D 2020 070 and placed in the CARE subfund for appropriation by the General Assembly. The table below shows the amount appropriated from the CARE subfund for FY 2020-21 for the Department of Health Care Policy and Financing through legislation enacted in the 2020 legislative session.

Federal law requires that this funding is to be used to cover those expenditures that:

- 1 are necessary expenditures incurred due to the public health emergency with respect to COVID-19;
- 2 were not accounted for in the budget most recently approved as of the date of enactment of this section for the State or government; and
- 3 were incurred during the period that begins March 1, 2020, and ends on December 30, 2020.

For additional information on General Fund Exempt and CARE subfund appropriations, see Appendix D.

GENERAL FUND SUMMARY	TOTAL GENERAL FUND	GENERAL FUND	CARE SUBFUND IN THE GENERAL FUND	GENERAL FUND EXEMPT
FY 2019-20	\$2,974,355,707	\$2,450,640,691	\$0	\$523,715,016
FY 2020-21	\$3,184,706,003	\$3,094,759,096	\$5,068,381	\$84,878,526

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of Health Care Policy and Financing are annotated with the "(I)". For additional information, see Appendix K.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$312,040,034	\$0	\$16,268,874	\$0	\$295,771,160

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### EXECUTIVE DIRECTOR'S OFFICE

This appropriation for the Executive Director's Office contains the administrative funding for the Department, including the Department's personnel, operation of the Medicaid Management Information System, utilization reviews, provider audits, eligibility determinations, contract research and analysis, and customer services. The fund sources for this division include the General Fund, federal funds received for the Medicaid and Children's Basic Health Plan programs, the Health Care Expansion Fund, the Children's Basic Health Plan Trust Fund, provider fees from hospitals and nursing facilities, and various other cash funds.

EXECUTIVE DIRECTOR'S OFFICE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$387,165,779	\$84,625,468	\$53,794,761	\$4,514,382	\$244,231,168	492.4
SB 19-005	971,802	1,041,802	0	0	(70,000)	4.1
SB 19-195	1,091,387	469,484	0	0	621,903	3.9
SB 19-222	150,000	51,000	24,000	0	75,000	0.0
SB 19-238	188,575	63,038	0	0	125,537	0.0
SB 19-254	250,000	0	250,000	0	0	0.0
HB 19-1004	150,000	150,000	0	0	0	0.0
HB 19-1038	222,732	0	22,273	0	200,459	0.0
HB 19-1176	92,649	92,649	0	0	0	0.0
HB 19-1269	334,001	113,560	53,440	0	167,001	3.0
HB 19-1287	63,922	21,733	10,228	0	31,961	0.8
HB 19-1302	86,242	0	43,121	0	43,121	0.0
HB 20-1246	1,974,602	65,889	21,734	0	1,886,979	0.0
HB 20-1360	20,000	(26,400)	86,400	0	(40,000)	0.0
<b>TOTAL</b>	<b>\$392,761,691</b>	<b>\$86,668,223</b>	<b>\$54,305,957</b>	<b>\$4,514,382</b>	<b>\$247,273,129</b>	<b>504.2</b>

EXECUTIVE DIRECTOR'S OFFICE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$392,761,691	\$86,668,223	\$54,305,957	\$4,514,382	\$247,273,129	504.2
Recoveries and 3rd party liability	17,103,131	5,644,010	2,907,541	0	8,551,580	4.5
Pharmacy tech and admin	2,478,870	809,652	429,783	0	1,239,435	0.0
Centrally appropriated items	1,776,006	713,475	454,209	(256,901)	865,223	0.0
Long-term care utilization management	1,746,531	431,632	5,002	0	1,309,897	0.0
Work number verification	1,531,649	505,040	252,569	0	774,040	0.0
Substance use disorder patient placement and benefit implementation	1,232,926	407,183	209,280	0	616,463	0.0
Transfers to other state agencies	199,072	42,336	0	0	156,736	0.0
Pharmacy pricing	138,000	20,572	15,009	0	102,419	0.0
Leased space	60,862	25,234	5,197	0	30,431	0.0
Annualize prior year budget actions	(4,744,259)	(195,684)	110,195	117,389	(4,776,159)	3.6
Healthy Communities outreach	(2,000,000)	(1,000,000)	0	0	(1,000,000)	0.0
All Payer Claims Database	(1,209,655)	(1,209,655)	0	0	0	0.0
Community provider rate	(897,197)	(129,583)	(214,236)	0	(553,378)	0.0
Convert contractors to FTE	(652,899)	(67,630)	(54,774)	0	(530,495)	10.8
Annualize FY 19-20 provider rates	(108,346)	(51,570)	19,283	0	(76,059)	0.0
Other	64,030	20,868	10,356	2	32,804	0.0
<b>HB 20-1360</b>	<b>\$409,480,412</b>	<b>\$92,634,103</b>	<b>\$58,455,371</b>	<b>\$4,374,872</b>	<b>\$254,016,066</b>	<b>523.1</b>
SB 20-033	100,000	50,000	0	0	50,000	0.0
SB 20-057	1,954	977	0	0	977	0.0
HB 20-1379	(977,212)	(880,628)	(74,277)	(22,307)	0	0.0
HB 20-1384	(1,190,063)	(527,492)	0	0	(662,571)	(3.9)
<b>TOTAL</b>	<b>\$407,415,091</b>	<b>\$91,276,960</b>	<b>\$58,381,094</b>	<b>\$4,352,565</b>	<b>\$253,404,472</b>	<b>519.2</b>
<b>INCREASE/(DECREASE)</b>	\$14,653,400	\$4,608,737	\$4,075,137	(\$161,817)	\$6,131,343	15.0
Percentage Change	3.7%	5.3%	7.5%	(3.6%)	2.5%	3.0%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1246 modifies FY 2019-20 appropriations to provide an increase of \$1.8 million federal funds related to a prescriber tool that will help providers identify the most cost effective medications based on diagnosis information, an increase of \$92,245 total funds, including \$39,489 General Fund, for higher leased space costs with no increase in square footage, an increase of \$80,000 total funds, including \$26,400 General Fund for a centralized patient placement tool for use by substance use disorder (SUD) treatment providers.

House Bill 20-1360 modifies FY 2019-20 appropriations to provide an increase of \$100,000 cash funds for a nursing home closure and a decrease of \$80,000, including \$26,400 General Fund, for delaying implementation of a substance use disorder patient placement tool.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**RECOVERIES AND 3RD PARTY LIABILITY:** The appropriation includes an increase of \$17.1 million total funds, including \$5.6 million General Fund, and an increase of 4.5 FTE for initiatives to increase tort and casualty recoveries, avoid claims when a third party is liable, and use artificial intelligence to identify and recover improper payments.

**PHARMACY TECH AND ADMIN:** The appropriation includes \$2.5 million total funds, including \$0.8 million General Fund, for higher than expected costs related to a prescriber tool that will help providers identify the most cost

effective medications based on diagnosis information. The prescriber tool is required by S.B. 18-266<sup>1</sup> and the Medicaid forecast assumes savings of \$5.3 million total funds, including \$1.4 million General Fund, associated with the implementation of the prescriber tool.

**CENTRALLY APPROPRIATED ITEMS:** The appropriation includes \$1.8 million total funds, including \$0.7 million General Fund, for adjustments to centrally appropriated line items for the following: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; shift differential; workers' compensation; legal services; administrative law judges; payment to risk management and property funds; Capitol complex leased space; payments to the Governor's Office of Information Technology (OIT); and CORE operations. The appropriation includes a Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction.

**LONG-TERM CARE UTILIZATION MANAGEMENT:** The appropriation includes \$1.7 million total funds, including \$713,475 General Fund, to expand a contract for utilization management to include reviews of in-home skilled care authorizations within participant directed services.

**WORK NUMBER VERIFICATION:** The appropriation includes \$1.5 million total funds, including 505,040 General Fund, for implementing a system that allows for automated income verification at enrollment for a portion of applications where data is available. This will reduce the number of people initially determined eligible for Medicaid and CHP+ who are later determined ineligible, as well as reduce county administrative time to verify income.

**SUBSTANCE USE DISORDER PATIENT PLACEMENT AND BENEFIT IMPLEMENTATION:** The appropriation includes an increase of \$1.2 million total funds, including \$407,183 General Fund, for the addition of residential and inpatient substance use disorder (SUD) treatment and medical detoxification services as a benefit beginning January 2021, as required by H.B. 18-1136 (Substance Use Disorder Treatment).

**TRANSFERS TO OTHER STATE AGENCIES:** The appropriation includes a net increase of \$199,072 total funds, including \$42,336 General Fund, for transfers to other agencies, primarily for the Department of Public Health and Environment.

**PHARMACY PRICING:** The appropriation includes an increase of \$138,000 total funds, including \$20,572 General Fund, for changes in the Department's drug pricing methodology.

**LEASED SPACE:** The appropriation includes \$60,862 total funds, including \$25,234 General Fund, for leased space costs at 303 E. 17<sup>th</sup> Ave., with no change in the square footage occupied by the Department.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes \$4.7 million total funds, including \$195,634 General Fund, to annualize prior year budget actions.

**HEALTHY COMMUNITIES OUTREACH:** The appropriation includes a decrease of \$2.0 million total funds, including \$1.0 million General Fund, for outreach and health system navigation services for new members.

**ALL PAYER CLAIMS DATABASE:** The appropriation includes a decrease of \$1.2 million General Fund for eliminating a \$500,000 grant program that provided free access for qualifying applicants and reducing state-only support.

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<sup>1</sup> Pursuant to Section 25.5-4-422 (2)(b), C.R.S., "The state department shall provide information regarding Medicaid expenditures and the quality of available pharmaceuticals prescribed by providers participating in the Medicaid program to providers participating in the Accountable Care Collaborative pursuant to Section 25.5-5-419."

**COMMUNITY PROVIDER RATE:** The appropriation includes a decrease of \$897,197 total funds, including \$129,583 General Fund, for a common policy across-the-board decrease for most community providers of 1.0 percent.

**CONVERT CONTRACTORS TO FTE:** The appropriation includes a net reduction of \$652,899 total funds, including a decrease of \$67,630 General Fund, and an increase of 10.8 FTE to convert money previously appropriated for contract services to state FTE.

**ANNUALIZE FY 19-20 PROVIDER RATES:** The appropriation includes a decrease of \$103,346 total funds, including \$51,570 General Fund, to annualize provider rate adjustments in FY 2019-20.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see the *Appendix A, Recent Legislation*.

## MEDICAL SERVICES PREMIUMS

This division provides the health care funding for an estimated 1,292,797 Medicaid clients in FY 2019-20. Medical services include medical care services (i.e. physician visits, prescription drugs, hospitalization) and long-term care services (i.e. nursing home care and community-based services). Significant sources of cash funds include tobacco revenues deposited in the Health Care Expansion Fund, provider fees from hospitals and nursing facilities, funds spent by local governments for health services and certified as the state match for federal funds, unclaimed property trust fund revenues deposited in the Adult Dental Fund, and recoveries and recoupments. The reappropriated funds include transfers from the Department of Higher Education for the University of Colorado supplemental payment and from the Old Age Pension State Medical Program. Federal funds represent the federal funds available for the Medicaid program through the federal medical assistance program (FMAP).

MEDICAL SERVICES PREMIUMS						
	TOTAL FUNDS	GENERAL FUND <sup>1,2</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$7,869,382,428	\$2,273,815,619	\$982,744,312	\$88,876,290	\$4,523,946,207	0.0
SB 19-209	13,510,958	6,755,479	0	0	6,755,479	0.0
SB 19-238	10,230,152	5,115,076	0	0	5,115,076	0.0
HB 19-1302	2,293,990	0	798,986	0	1,495,004	0.0
HB 20-1246	69,542,908	38,294,344	43,231,792	0	(11,983,228)	0.0
HB 20-1360	103,185,316	(155,588,091)	(30,924,009)	93,850	289,603,566	0.0
HB 20-1385	0	(24,733,945)	24,733,945	0	0	0.0
<b>TOTAL</b>	<b>\$8,068,145,752</b>	<b>\$2,143,658,482</b>	<b>\$1,020,585,026</b>	<b>\$88,970,140</b>	<b>\$4,814,932,104</b>	<b>0.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$8,068,145,752	\$2,143,658,482	\$1,020,585,026	\$88,970,140	\$4,814,932,104	0.0
Medical Services Premiums	986,871,357	308,878,514	173,174,315	(45,393,896)	550,212,424	0.0
Safety net provider payments	91,759,573	0	45,879,786	0	45,879,787	0.0
Annualize FY 19-20 provider rates	21,721,896	10,308,477	128,168	0	11,285,251	0.0
Higher federal match	0	(16,936,933)	(25,479)	0	16,962,412	0.0
Transfers to other state agencies	0	(49,482)	0	49,482	0	0.0
Community provider rate	(45,367,393)	(14,434,140)	(1,913,565)	0	(29,019,688)	0.0
Recoveries and 3rd party liability	(29,737,153)	(9,022,099)	(989,865)	0	(19,725,189)	0.0
Work number verification	(24,109,382)	(4,296,292)	(1,688,621)	0	(18,124,469)	0.0
Member copays	(8,809,862)	(2,136,757)	(733,663)	0	(5,939,442)	0.0
Pharmacy pricing	(7,499,549)	(1,757,144)	(516,719)	0	(5,225,686)	0.0
Long-term care utilization management	(4,111,145)	(2,027,672)	(27,900)	0	(2,055,573)	0.0
Annualize prior year budget actions	(4,074,159)	22,832,405	(25,145,655)	0	(1,760,909)	0.0
Targeted rate adjustments	(1,436,028)	(363,519)	(34,471)	0	(1,038,038)	0.0
School health services expansion	(75,000)	(75,000)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$9,043,278,907</b>	<b>\$2,434,578,840</b>	<b>\$1,208,691,357</b>	<b>\$43,625,726</b>	<b>\$5,356,382,984</b>	<b>0.0</b>
SB 20-212	5,068,381	5,068,381	0	0	0	0.0
HB 20-1361	(5,565,000)	(331,462)	(1,139,402)	0	(4,094,136)	0.0



MEDICAL SERVICES PREMIUMS						
	TOTAL FUNDS	GENERAL FUND <sup>1,2</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 20-1362	(7,011,151)	(3,288,230)	0	0	(3,722,921)	0.0
HB 20-1385	(4,310,802)	(24,733,945)	24,733,945	(2,021,766)	(2,289,036)	0.0
HB 20-1386	0	(161,000,000)	161,000,000	0	0	0.0
<b>TOTAL</b>	<b>\$9,031,460,335</b>	<b>\$2,250,293,584</b>	<b>\$1,393,285,900</b>	<b>\$41,603,960</b>	<b>\$5,346,276,891</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	\$963,314,583	\$106,635,102	\$372,700,874	(\$47,366,180)	\$531,344,787	0.0
Percentage Change	11.9%	5.0%	36.5%	(53.2%)	11.0%	n/a

<sup>1</sup> Includes General Fund Exempt.

<sup>2</sup> Includes appropriations from the CARE subfund in the General Fund for FY 2020-21.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1246 modifies FY 2019-20 appropriations primarily for a new forecast of enrollment and expenditures for medical services and long-term services and supports provided through Medicaid, but it also includes funds related to a prescriber tool that will help providers identify the most cost effective medications based on diagnosis information.

House Bill 20-1360 modifies FY 2019-20 appropriations primarily for a new forecast of enrollment and expenditures for medical services and long-term services and supports provided through Medicaid.

House Bill 20-1385 modifies FY 2019-20 appropriations to decrease General Fund appropriations and increase cash fund appropriations by \$24.7 million to take the savings to certain cash funds from the higher federal match rate for Medicaid offered through the federal Families First Coronavirus Relief Act and use it to offset the need for General Fund.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**MEDICAL SERVICES PREMIUMS:** The appropriation provides an increase of \$986.9 million total funds, including an increase of \$308.9 million General Fund, to reflect a new forecast of enrollment, utilization, and per capita costs for medical services and long-term services and supports provided through Medicaid. Annualizations of prior year budget actions reduce forecasted expenditures by a net \$4.1 million, including \$1.9 million General Fund. The tables below show the projected year over year changes by detailed enrollment category for the enrollment/utilization trends and annualizations combined. Note that these tables detail changes attributable to the forecast and annualizations only. They may not match other summary tables in this document that account for other legislation and policy changes beyond the forecast.

ENROLLMENT				
CATEGORY	FY 19-20	FY 20-21	DIFFERENCE	PERCENT
Adults 65+ to SSI	49,152	61,658	12,506	25.4%
Adults with Disabilities 60 to 64	13,297	17,000	3,703	27.8%
Individuals with Disabilities to 59	68,181	83,905	15,724	23.1%
Disabled Buy-In to 450% FPL	10,426	14,501	4,075	39.1%
Parents / Caretakers to 68% FPL	167,478	204,569	37,091	22.1%
Breast & Cervical Cancer to 250% FPL	140	168	28	20.0%
Children to 107% FPL	415,410	510,371	94,961	22.9%
SB 11-008 Children 107% to 147% FPL	57,527	72,241	14,714	25.6%
Foster Care to 26 years	22,126	27,464	5,338	24.1%
Pregnant Adults to 142% FPL	11,474	14,039	2,565	22.4%
SB 11-250 Pregnant 142% to 200% FPL	2,181	2,759	578	26.5%
Non-Citizens - Emergency Services	2,485	3,111	626	25.2%
Adults 65+ SSI to 135% FPL-Medicare premiums	34,174	42,067	7,893	23.1%

ENROLLMENT				
CATEGORY	FY 19-20	FY 20-21	DIFFERENCE	PERCENT
<b>Subtotal - Traditional Medicaid</b>	<b>854,051</b>	<b>1,053,853</b>	<b>199,802</b>	<b>23.4%</b>
ACA "Newly Eligible"				
Parents / Caretakers 69% to 138% FPL	60,700	80,379	19,679	32.4%
Adults w/out Dependent Children to 138% FPL	326,414	403,669	77,255	23.7%
<b>Subtotal - ACA "Newly Eligible"</b>	<b>387,114</b>	<b>484,048</b>	<b>96,934</b>	<b>25.0%</b>
<b>TOTAL</b>	<b>1,241,165</b>	<b>1,537,901</b>	<b>296,736</b>	<b>23.9%</b>

EXPENDITURES				
CATEGORY	FY 19-20	FY 20-21	DIFFERENCE	Percent
Adults 65+ to SSI	\$1,451,699,108	\$1,556,284,346	\$104,585,238	7.2%
Adults with Disabilities 60 to 64	303,893,179	339,229,800	35,336,621	11.6%
Individuals with Disabilities to 59	1,414,036,099	1,568,825,954	154,789,855	10.9%
Disabled Buy-In to 450% FPL	80,325,343	102,449,808	22,124,465	27.5%
Parents / Caretakers to 68% FPL	491,658,187	567,051,665	75,393,478	15.3%
Breast & Cervical Cancer to 250% FPL	2,535,163	3,042,390	507,227	20.0%
Children to 107% FPL	925,802,506	1,069,470,190	143,667,684	15.5%
SB 11-008 Children 107% to 147% FPL	104,808,113	124,069,333	19,261,220	18.4%
Foster Care to 26 years	110,469,245	124,187,226	13,717,981	12.4%
Pregnant Adults to 142% FPL	143,214,858	166,870,795	23,655,937	16.5%
SB 11-250 Pregnant 142% to 200% FPL	21,518,036	25,979,341	4,461,305	20.7%
Non-Citizens - Emergency Services	42,324,980	50,961,144	8,636,164	20.4%
Adults 65+ SSI to 135% FPL-Medicare premiums	54,165,154	60,272,998	6,107,844	11.3%
<b>Subtotal - Traditional Medicaid</b>	<b>\$5,146,449,971</b>	<b>\$5,758,694,990</b>	<b>\$612,245,019</b>	<b>11.9%</b>
ACA "Newly Eligible"				
Parents / Caretakers 69% to 138% FPL	\$161,146,603	\$202,809,046	\$41,662,443	25.9%
Adults w/out Dependent Children to 138% FPL	1,362,795,513	1,596,605,384	233,809,871	17.2%
<b>Subtotal - ACA "Newly Eligible"</b>	<b>\$1,523,942,116</b>	<b>\$1,799,414,430</b>	<b>\$275,472,314</b>	<b>18.1%</b>
Services Subtotal	\$6,670,392,087	\$7,558,109,420	\$887,717,333	30.0%
Financing	1,390,868,818	1,504,994,369	114,125,551	8.2%
<b>TOTAL</b>	<b>\$8,061,260,905</b>	<b>\$9,063,103,789</b>	<b>\$1,001,842,884</b>	<b>38.2%</b>

PER CAPITA				
CATEGORY	FY 19-20	FY 20-21	Difference	Percent
Adults 65+ to SSI	\$29,535	\$25,241	(\$4,294)	(14.5%)
Adults with Disabilities 60 to 64	\$22,854	\$19,955	(\$2,900)	(12.7%)
Individuals with Disabilities to 59	\$20,739	\$18,698	(\$2,042)	(9.8%)
Disabled Buy-In to 450% FPL	\$7,704	\$7,065	(\$639)	(8.3%)
Parents / Caretakers to 68% FPL	\$2,936	\$2,772	(\$164)	(5.6%)
Breast & Cervical Cancer to 250% FPL	\$18,108	\$18,109	\$1	0.0%
Children to 107% FPL	\$2,229	\$2,095	(\$133)	(6.0%)
SB 11-008 Children 107% to 147% FPL	\$1,822	\$1,717	(\$104)	(5.7%)
Foster Care to 26 years	\$4,993	\$4,522	(\$471)	(9.4%)
Pregnant Adults to 142% FPL	\$12,482	\$11,886	(\$595)	(4.8%)
SB 11-250 Pregnant 142% to 200% FPL	\$9,866	\$9,416	(\$450)	(4.6%)
Non-Citizens - Emergency Services	\$17,032	\$16,381	(\$651)	(3.8%)
Adults 65+ SSI to 135% FPL-Medicare premiums	\$1,585	\$1,433	(\$152)	(9.6%)
<b>Subtotal - Traditional Medicaid</b>	<b>\$6,026</b>	<b>\$5,464</b>	<b>(\$562)</b>	<b>(9.3%)</b>

PER CAPITA				
CATEGORY	FY 19-20	FY 20-21	Difference	Percent
ACA "Newly Eligible"				
Parents / Caretakers 69% to 138% FPL	\$2,655	\$2,523	(\$132)	(5.0%)
Adults w/out Dependent Children to 138% FPL	\$4,175	\$3,955	(\$220)	(5.3%)
<b>Subtotal - ACA "Newly Eligible"</b>	<b>\$3,937</b>	<b>\$3,717</b>	<b>(\$219)</b>	<b>(5.6%)</b>
<b>TOTAL</b>	<b>\$5,374</b>	<b>\$4,915</b>	<b>(\$460)</b>	<b>(8.6%)</b>

**SAFETY NET PROVIDER PAYMENTS:** The appropriation includes a net \$0 change to move money between divisions to better reflect money spent for the Colorado Indigent Care Program, with an increase for this division of \$91.8 million total funds.

**ANNUALIZE FY 19-20 PROVIDER RATES:** The appropriation includes \$21.7 million total funds, including \$10.3 million General Fund, to annualize FY 2019-20 provider rate adjustments.

**HIGHER FEDERAL MATCH:** The appropriation includes a decrease of \$16.9 million General Fund and a corresponding increase in federal funds because of a temporary 6.2 percent increase in the standard federal match rate for Medicaid through the federal Families First Coronavirus Relief Act.

**TRANSFERS TO OTHER STATE AGENCIES:** The appropriation includes a net \$0 adjustment, including a decrease of \$49,482 General Fund, for transfers to other state agencies.

**COMMUNITY PROVIDER RATE:** The appropriation includes a decrease of \$45.4 million total funds, including \$14.4 million General Fund, for a common policy across-the-board decrease for most community providers of 1.0 percent.

**RECOVERIES AND 3RD PARTY LIABILITY:** The appropriation includes a reduction of \$29.7 million total funds, including a reduction of \$9.0 million General Fund, for initiatives to increase tort and casualty recoveries, avoid claims when a third party is liable, and use artificial intelligence to identify and recover improper payments.

**WORK NUMBER VERIFICATION:** The appropriation includes a decrease of \$24.1 million total funds, including a decrease of \$4.3 million General Fund, for implementing a system that allows for automated income verification at enrollment for a portion of applications where data is available. This will reduce the number of people initially determined eligible for Medicaid and CHP+ who are later determined ineligible, as well as reduce county administrative time to verify income. The appropriation assumes system implementation January 1, 2021, and the projected net savings approximately doubles in FY 2021-22 to \$46.2 million total funds, including \$7.7 million General Fund.

**MEMBER COPAYS:** The appropriation includes a decrease of \$8.8 million total funds, including \$2.1 million General Fund, for an increase in member copays.

**PHARMACY PRICING:** The appropriation includes a decrease of \$7.5 million total funds, including \$1.8 million General Fund, for changes in the Department's drug pricing methodology.

**LONG-TERM CARE UTILIZATION MANAGEMENT:** The appropriation includes a decrease of \$4.1 million, including \$2.0 million General Fund, to expand a contract for utilization management to include reviews of in-home skilled care authorizations within participant directed services.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes a decrease of \$4.1 million total funds, including an increase of \$22.8 million General Fund, to annualize prior year budget actions.

**TARGETED RATE ADJUSTMENTS:** The appropriation includes a decrease of \$1.4 million total funds, including a reduction of \$363,519 General Fund, for targeted rate adjustments.

**SCHOOL HEALTH SERVICES EXPANSION:** The appropriation includes a decrease of \$75,000 General Fund for administrative costs to expand the school health services that are allowed to claim a federal match through Medicaid beyond those included within an Individualized Education Program (IEP) or Individualized Family Service Plan (IFSP) to include the Medicaid portion of services to the whole school population, such as health screenings. This policy change will increase reimbursements to public schools in future years.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see the *Appendix A, Recent Legislation*.

## BEHAVIORAL HEALTH COMMUNITY PROGRAMS

This section provides funding for Medicaid clients' behavioral health care. Most mental health and substance use disorder services are provided to Medicaid-eligible clients through a statewide managed care or "capitated" program through which the Department contracts with "regional accountable entities" (RAEs) to provide or arrange for medically necessary behavioral health services to Medicaid-eligible clients. Each RAE receives a pre-determined monthly amount for each client who is eligible for Medicaid behavioral health services and enrolled with that RAE. In addition to funding for capitation payments to RAEs, a separate appropriation covers fee-for-service payments for certain behavioral health services that are not covered by the capitation program. Appropriations for FY 2020-21 reflect funding for a projected 1,492,723 Medicaid clients eligible for behavioral health services. Behavioral health services are primarily supported by General Fund and federal funds. Cash fund sources include the Healthcare Affordability and Sustainability Fee Cash Fund and the Breast and Cervical Cancer Prevention and Treatment Fund.

BEHAVIORAL HEALTH COMMUNITY PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$723,029,646	\$201,872,261	\$38,370,104	\$0	\$482,787,281	0.0
HB 19-1302	44,789	0	15,676	0	29,113	0.0
HB 20-1246	(15,654,741)	(2,733,519)	(985,814)	0	(11,935,408)	0.0
HB 20-1360	19,515,505	(7,625,187)	(1,014,972)	0	28,155,664	0.0
<b>TOTAL</b>	<b>\$726,935,199</b>	<b>\$191,513,555</b>	<b>\$36,384,994</b>	<b>\$0</b>	<b>\$499,036,650</b>	<b>0.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$726,935,199	\$191,513,555	\$36,384,994	\$0	\$499,036,650	0.0
Behavioral Health	189,308,877	53,032,870	15,848,204	0	120,427,803	0.0
Substance use disorder patient placement and benefit implementation	43,467,016	8,537,136	2,876,123	0	32,053,757	0.0
Annualize FY 19-20 provider rates	8,517	1,965	444	0	6,108	0.0
Higher federal match	0	(3,153,217)	(229,063)	0	3,382,280	0.0
Targeted rate adjustments	(309,370)	(72,207)	(20,264)	0	(216,899)	0.0
<b>HB 20-1360</b>	<b>\$959,410,239</b>	<b>\$249,860,102</b>	<b>\$54,860,438</b>	<b>\$0</b>	<b>\$654,689,699</b>	<b>0.0</b>
<b>TOTAL</b>	<b>\$959,410,239</b>	<b>\$249,860,102</b>	<b>\$54,860,438</b>	<b>\$0</b>	<b>\$654,689,699</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$232,475,040</b>	<b>\$58,346,547</b>	<b>\$18,475,444</b>	<b>\$0</b>	<b>\$155,653,049</b>	<b>0.0</b>
Percentage Change	32.0%	30.5%	50.8%	n/a	31.2%	n/a

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1246 and H.B. 20-1360 increase FY 2019-20 appropriations by \$3.9 million total funds, including a decrease of \$10.4 million General Fund, to reflect changes in the Department's caseload and expenditure forecast from February 2019 to May 2020. The Department's December 2019 estimates, included in H.B. 20-1246, reflected lower projected caseload growth for most eligibility categories, leading to a reduction in projected expenditures. In May 2020 the Department released an updated forecast for FY 2019-20 and FY 2020-21 to try to capture the impact of the coronavirus on health care utilization and the impact of changes in the economy on eligibility and enrollment. The forecast projects an increase in enrollment and expenditures for FY 2019-20. Impacts of this increase to the General Fund are mitigated by a higher federal match, as discussed in Part II.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**BEHAVIORAL HEALTH:** The appropriation includes an increase of \$189.3 million total funds, including \$53.0 million General Fund, for the capitation and fee-for-service Medicaid behavioral health programs. The appropriation is based on the Department's May 2020 caseload and expenditure forecast. More detailed data concerning caseload and expenditure changes by eligibility category are included in Part II of this document.

**SUBSTANCE USE DISORDER PATIENT PLACEMENT AND BENEFIT IMPLEMENTATION:** The appropriation includes an increase of \$43.5 million total funds, including \$8.5 million General Fund, for the addition of residential and inpatient substance use disorder (SUD) treatment and medical detoxification services as a benefit beginning January 2021, as required by H.B. 18-1136 (Substance Use Disorder Treatment).

**ANNUALIZE FY 19-20 PROVIDER RATES:** The appropriation includes an increase of \$8,517 total funds to annualize provider rate increases approved in FY 2019-20.

**HIGHER FEDERAL MATCH:** The appropriation includes a decrease of \$3.2 million General Fund and \$229,063 cash funds because of a temporary 6.2 percent increase in the standard federal match rate for Medicaid through the federal Families First Coronavirus Relief Act.

**TARGETED RATE ADJUSTMENTS:** The appropriation includes a decrease of \$309,370 total funds, including \$72,207 General Fund, for adjustments to behavioral health fee-for-service provider rates.

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## OFFICE OF COMMUNITY LIVING

The Office houses the Division for Intellectual and Developmental Disabilities (IDD) and is responsible for the following functions related to the provision of services by community-based providers to individuals with intellectual and developmental disabilities:

- Administration of four Medicaid waivers for individuals with developmental disabilities;
- Establishment of service reimbursement rates;
- Ensuring compliance with federal Centers for Medicare and Medicaid rules and regulations;
- Communication and coordination with community-centered boards regarding waiver policies, rate changes, and waiting list information reporting; and
- Administration of the Family Support Services Program.

OFFICE OF COMMUNITY LIVING						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$682,370,030	\$345,930,692	\$7,751,685	\$0	\$328,687,653	40.4
SB 19-238	1,008,525	504,263	0	0	504,262	0.0
HB 20-1246	(2,658,717)	(1,133,637)	(579,579)	0	(945,501)	0.0
HB 20-1360	(15,551,035)	(26,868,308)	(117,977)	0	11,435,250	0.0
<b>TOTAL</b>	<b>\$665,168,803</b>	<b>\$318,433,010</b>	<b>\$7,054,129</b>	<b>\$0</b>	<b>\$339,681,664</b>	<b>40.4</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$665,168,803	\$318,433,010	\$7,054,129	\$0	\$339,681,664	40.4
Office of Community Living	40,583,468	18,965,216	72,878	0	21,545,374	0.0
Case management and state-only programs	0	(367,759)	0	0	367,759	0.0
IDD Services cash fund-refinance	0	(6,727,431)	6,727,431	0	0	0.0
Community provider rate	(3,821,979)	(1,976,385)	(32,907)	0	(1,812,687)	0.0
Annualize prior year budget actions	(1,299,136)	2,051,125	(2,702,555)	0	(647,706)	(2.9)
<b>HB 20-1360</b>	<b>\$700,631,156</b>	<b>\$330,377,776</b>	<b>\$11,118,976</b>	<b>\$0</b>	<b>\$359,134,404</b>	<b>37.5</b>
<b>TOTAL</b>	<b>\$700,631,156</b>	<b>\$330,377,776</b>	<b>\$11,118,976</b>	<b>\$0</b>	<b>\$359,134,404</b>	<b>37.5</b>
<b>INCREASE/(DECREASE)</b>	<b>\$35,462,353</b>	<b>\$11,944,766</b>	<b>\$4,064,847</b>	<b>\$0</b>	<b>\$19,452,740</b>	<b>(2.9)</b>
Percentage Change	5.3%	3.8%	57.6%	n/a	5.7%	(7.2%)

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1246 modifies FY 2019-20 appropriations and includes a reduction of \$2.7 million total funds, including \$1.3 million General Fund, for changes in the forecast of enrollment and expenditures in home- and community-based services for people with intellectual and developmental disabilities.

House Bill 20-1360 modifies FY 2019-20 appropriations to provide a net reduction of \$15.6 million total funds, including \$26.9 million General Fund. Office of Community Living adjustments include:

- A reduction of \$15.6 million total funds, including \$7.1 General Fund, for home- and community-based services for people with intellectual and developmental disabilities; and
- A reduction of \$19.7 million General Fund with an offsetting increase in federal funds due to a temporary 6.2 percent increase in the standard federal match rate for Medicaid through the federal Families First Coronavirus Relief Act.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**OFFICE OF COMMUNITY LIVING:** The appropriation includes a net increase of \$40.6 million, including an increase of \$19.0 million General Fund, based on the projected caseload and expenditures under current law and policy for the following:

- An increase of \$40.6 million total funds, including \$20.8 million General Fund, for home- and community-based services for people with intellectual and developmental disabilities; and
- A net zero adjustment, including a reduction of \$1.8 million General Fund, due to a temporary 6.2 percent increase in the standard federal match rate for Medicaid through the federal Families First Coronavirus Relief Act.

**CASE MANAGEMENT AND STATE-ONLY PROGRAMS:** The appropriation includes a reduction of \$367,759 General Fund with a corresponding increase of Medicaid federal funds for intellectual and developmental disability eligibility determinations.

**IDD SERVICES CASH FUND REFINANCE:** The appropriation includes a reduction of \$6.7 million General Fund and a corresponding increase of cash funds from the Intellectual and Developmental Disabilities Services Cash Fund for a net zero adjustment.

**PROVIDER RATE CHANGES:** The appropriation includes net reduction of \$3.8 million total funds, including \$2.0 million General Fund, for changes to provider rates, including:

- An increase of \$1.8 million total funds, including \$0.9 million General Fund, for the following targeted rate adjustments:

TARGETED RATE ADJUSTMENTS					
RATE	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
Behavioral health fee-for-service (mostly impacts RCCFs)	\$1,221,899	\$610,950	\$0	\$0	\$610,949
Habilitation in Residential Child Care Facilities	532,362	266,181	0	0	266,181
<b>TOTAL</b>	<b>\$1,754,261</b>	<b>\$877,131</b>	<b>\$0</b>	<b>\$0</b>	<b>\$877,130</b>

- An increase of \$1.0 million, including \$0.5 million General Fund, to annualize provider rate increases approved in FY 2019-20, primarily for personal care and homemaker services; and
- A reduction of \$6.6 million, including \$3.4 million General Fund, for a common policy across-the-board decrease for most community providers of 1.0 percent.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes a net reduction of \$1.3 million total funds, including an increase of \$2.1 million General Fund, for out-year impacts of prior year legislation and budget actions. In the following table the titles of the annualizations begin with either a bill number or the relevant fiscal year. For budget decisions made in the Long Bill, the title includes a reference to the priority number the Department used in that year for the initiative, if relevant.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS					
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	FEDERAL FUNDS	FTE
FY 18-19 R17 Single assessment tool financing	\$3,260,155	\$1,630,077	\$0	\$1,630,078	0.0
HB 18-1326 Transition from institutional setting	617,816	308,908	0	308,908	0.0
Salary survey	87,828	34,225	7,827	45,776	0.0
FY 19-20 R14 Office of Community Living governance	1,161	580	0	581	0.1
FY 19-20 R16 Employment first initiatives	0	(289,618)	289,618	0	0.0
SB 16-192 Assessment tool IDD	(3,260,156)	(1,630,078)	0	(1,630,078)	0.0
FY 19-20 Increase comprehensive waiver enrollments	(1,770,579)	2,114,711	(3,000,000)	(885,290)	0.0
FY 17-18 BA9 Pueblo Regional Center corrective action	(159,616)	(79,808)	0	(79,808)	(2.0)
FY 17-18 R10 RC Task Force recommendation implementation	(75,745)	(37,872)	0	(37,873)	(1.0)
<b>TOTAL</b>	<b>(\$1,299,136)</b>	<b>\$2,051,125</b>	<b>(\$2,702,555)</b>	<b>(\$647,706)</b>	<b>(2.9)</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see the *Appendix A, Recent Legislation*.

## INDIGENT CARE PROGRAM

This division contains funding for the following programs:

- Indigent Care Program - This program provides partial reimbursement to participating hospitals and clinics that serve uninsured or under-insured clients. To be eligible for this program, clients must have income or assets equal to or lower than 250 percent of the federal poverty level (FPL) and may not qualify for assistance through the Medicaid program.

- **Children's Basic Health Plan** - This program provides health insurance to otherwise uninsured children from families at or below 250 percent of the federal poverty guidelines. The program also provides health insurance to eligible adult women between 185 percent and 250 percent of the federal poverty guidelines.

Funding sources include the General Fund, provider fees paid by hospitals, tobacco tax and tobacco master settlement revenues, and federal funds.

INDIGENT CARE PROGRAM						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$572,920,805	\$10,154,902	\$228,510,714	\$0	\$334,255,189	0.0
HB 19-1038	216,693	0	44,682	0	172,011	0.0
HB 20-1246	(3,536,486)	0	(737,600)	0	(2,798,886)	0.0
HB 20-1360	(30,576,432)	(622,837)	(21,820,073)	0	(8,133,522)	0.0
<b>TOTAL</b>	<b>\$539,024,580</b>	<b>\$9,532,065</b>	<b>\$205,997,723</b>	<b>\$0</b>	<b>\$323,494,792</b>	<b>0.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$539,024,580	\$9,532,065	\$205,997,723	\$0	\$323,494,792	0.0
Child Health Plan Plus	52,612,403	26,221,109	12,618,425	0	13,772,869	0.0
Annualize prior year budget actions	72,946	44,883	3,467	0	24,596	0.0
Safety net provider payments	(91,759,573)	0	(45,879,786)	0	(45,879,787)	0.0
Pediatric hospital supplement	(2,691,002)	(1,262,080)	0	0	(1,428,922)	0.0
Higher federal match	(706,968)	(3,327,301)	3,326,313	0	(705,980)	0.0
Other	(3,176,723)	(19,251)	(3,157,472)	0	0	0.0
<b>HB 20-1360</b>	<b>\$493,375,663</b>	<b>\$31,189,425</b>	<b>\$172,908,670</b>	<b>\$0</b>	<b>\$289,277,568</b>	<b>0.0</b>
<b>TOTAL</b>	<b>\$493,375,663</b>	<b>\$31,189,425</b>	<b>\$172,908,670</b>	<b>\$0</b>	<b>\$289,277,568</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$45,648,917)</b>	<b>\$21,657,360</b>	<b>(\$33,089,053)</b>	<b>\$0</b>	<b>(\$34,217,224)</b>	<b>0.0</b>
Percentage Change	(8.5%)	227.2%	(16.1%)	n/a	(10.6%)	n/a

<sup>1</sup> Includes \$391,683 in FY 2019-20 and \$387,132 in FY 2020-21 that is not subject to the statutory restriction on state General Fund appropriations imposed by Section 24-75-201.1, C.R.S.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1246 includes an increase of \$3.5 million total funds for a more recent forecast of utilization and enrollment of children and pregnant women in the Children's Basic Health Plan.

House Bill 20-1360 includes a decrease of \$30.6 million total funds, including \$622,837 General Fund, for a more recent forecast of utilization and enrollment of children and pregnant women in the Children's Basic Health Plan and a temporary change in the federal match rate for Medicaid and the Children's Basic Health Plan as a result of the federal Families First Coronavirus Relief Act.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**CHILDREN'S BASIC HEALTH PLAN:** The appropriation provides an increase of \$52.6 million total funds, including \$26.2 million General Fund, to reflect a new forecast of enrollment, utilization, and per capita costs for the Children's Basic Health Plan.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$72,946 total funds, including \$44,883 General Fund, for out-year impacts of prior year legislation and budget actions. For a list of all annualizations of prior year legislation and budget actions, see the description for the Department in Part II of this report.



**SAFETY NET PROVIDER PAYMENTS:** The appropriation includes a net \$0 change to move money between divisions to better reflect money spent for the Colorado Indigent Care Program, with a decrease for this division of \$91.8 million total funds.

**PEDIATRIC HOSPITAL SUPPLEMENT:** The appropriation includes a decrease of \$2.7 million total funds, including \$1.3 million General Fund, to reduce this supplemental payment to Children's Hospital by 20 percent.

**HIGHER FEDERAL MATCH:** The appropriation includes a decrease of \$706,968 total funds, including a decrease of \$3.3 million General Fund, for a temporary 6.2 percent increase in the standard federal match rate for Medicaid through the federal Families First Coronavirus Relief Act, including a related adjustment to disproportionate share hospital payments.

**OTHER:** The appropriation includes miscellaneous other changes, primarily related to fund source adjustments for tobacco revenues.

## OTHER MEDICAL SERVICES

This division contains the funding for:

- The state's obligation under the Medicare Modernization Act for prescription drug benefits
- The Old Age Pension State-Only Medical Program
- Health training programs, including the Commission on Family Medicine and the University Teaching Hospitals
- Public School Health Services

Funding sources for these programs include the General Fund, cash funds for certified public expenditures at school districts, the Old Age Pension Medical and Supplemental Medical Fund, reappropriated funds from Amendment 35 tobacco taxes, and matching federal funds.

OTHER MEDICAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$301,827,899	\$162,002,713	\$71,968,213	\$225,000	\$67,631,973	0.0
HB 20-1246	10,998,799	9,321,829	838,485	0	838,485	0.0
HB 20-1360	(1,001,257)	(1,392,886)	0	0	391,629	0.0
<b>TOTAL</b>	<b>\$311,825,441</b>	<b>\$169,931,656</b>	<b>\$72,806,698</b>	<b>\$225,000</b>	<b>\$68,862,087</b>	<b>0.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$311,825,441	\$169,931,656	\$72,806,698	\$225,000	\$68,862,087	0.0
Medicare Modernization Act	8,903,173	8,903,173	0	0	0	0.0
School health services forecast	6,235,449	0	3,117,725	0	3,117,724	0.0
School health services expansion	150,000	75,000	0	0	75,000	0.0
Higher federal match	0	0	0	0	0	0.0
Teaching hospital supplement	(4,436,698)	(1,855,812)	0	(225,000)	(2,355,886)	0.0
Commission on Family Medicine	(1,066,098)	(500,000)	0	0	(566,098)	0.0
SBIRT	(1,000,000)	0	(1,000,000)	0	0	0.0
Senior dental program	(1,000,000)	(1,000,000)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$319,611,267</b>	<b>\$175,554,017</b>	<b>\$74,924,423</b>	<b>\$0</b>	<b>\$69,132,827</b>	<b>0.0</b>
<b>TOTAL</b>	<b>\$319,611,267</b>	<b>\$175,554,017</b>	<b>\$74,924,423</b>	<b>\$0</b>	<b>\$69,132,827</b>	<b>0.0</b>
INCREASE/(DECREASE)						
Percentage Change	2.5%	3.3%	2.9%	(100.0%)	0.4%	n/a

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1246 includes an increase of \$9.3 million General Fund for reimbursements to the federal government for prescription drugs for people eligible for both Medicaid and Medicare and an increase of \$1.7 million total funds for expenditures by school districts and Boards of Cooperative Education Services (BOCES) in support of Medicaid eligible children with an Individual Education Plan (IEP) or Individualized Family Services Plan (IFSP).

House Bill 20-1360 includes a net decrease of \$1.0 million total funds, including a decrease of \$1.4 million General Fund for reimbursements to the federal government for prescription drugs for people eligible for both Medicaid and Medicare and a temporary change in the federal match rate for Medicaid as a result of the federal Families First Coronavirus Relief Act.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**MEDICARE MODERNIZATION ACT:** The appropriation includes an increase of \$8.9 million General Fund for reimbursements to the federal government for prescription drugs for people eligible for both Medicaid and Medicare based on the most recent forecast of the state's obligation under the federal formula.

**SCHOOL HEALTH SERVICES FORECAST:** The appropriation includes an increase of \$6.2 million total funds based on expected certified public expenditures by school districts and boards of cooperative education services (BOCES) for public school health services and associated administrative costs.

**SCHOOL HEALTH SERVICES EXPANSION:** The appropriation includes an increase of \$150,000, including \$75,000 General Fund for administrative costs to expand the school health services that are allowed to claim a federal match through Medicaid beyond those included within an Individualized Education Program (IEP) or Individualized Family Service Plan (IFSP) to include the Medicaid portion of services to the whole school population, such as health screenings. This policy change will increase reimbursements to public schools in future years.

**TEACHING HOSPITAL SUPPLEMENT:** The appropriation includes a decrease of \$4.4 million total funds, including \$1.9 million General Fund, to eliminate supplemental payments to Denver Health and the University of Colorado for graduate medical education.

**COMMISSION ON FAMILY MEDICINE:** The appropriation decreases support for the Commission on Family Medicine by \$1.1 million, including \$500,000 General Fund.

**SBIRT:** The appropriation decreases support for grants to organizations that provide evidence-based training for health professionals statewide related to screening, brief intervention, and referral to treatment (SBIRT) for individuals at risk of substance abuse. The source of cash funds is the Marijuana Tax Cash Fund. These are grants for provider training. SBIRT is still a covered benefit for Medicaid clients. Providers are required to have training to deliver services, but the training does not need to be through this program. Providers can still pay for their own professional development.

**SENIOR DENTAL PROGRAM:** The appropriation includes a decrease of \$1.0 million General Fund for services provided through the senior dental program.

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## DEPARTMENT OF HUMAN SERVICES MEDICAID-FUNDED PROGRAMS

This section contains funding for programs administered by the Department of Human Services that are funded with Medicaid dollars. General Fund is appropriated in this section, matched with anticipated federal funds, and then transferred to the Department of Human Services as Medicaid cash funds.

DEPARTMENT OF HUMAN SERVICES MEDICAID-FUNDED PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$121,158,860	\$58,440,525	\$1,888,903	\$0	\$60,829,432	0.0
SB 19-195	300,000	150,000	0	0	150,000	0.0
HB 20-1246	(1,972,612)	(986,307)	0	0	(986,305)	0.0
HB 20-1360	(650,000)	(2,985,502)	0	0	2,335,502	0.0
<b>TOTAL</b>	<b>\$118,836,248</b>	<b>\$54,618,716</b>	<b>\$1,888,903</b>	<b>\$0</b>	<b>\$62,328,629</b>	<b>0.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$118,836,248	\$54,618,716	\$1,888,903	\$0	\$62,328,629	0.0
Human Services programs	1,736,893	855,995	0	0	880,898	0.0
Provider rate changes	1,658,855	829,428	0	0	829,427	0.0
<b>HB 20-1360</b>	<b>\$122,231,996</b>	<b>\$56,304,139</b>	<b>\$1,888,903</b>	<b>\$0</b>	<b>\$64,038,954</b>	<b>0.0</b>
HB 20-1384	(300,000)	(150,000)	0	0	(150,000)	0.0
<b>TOTAL</b>	<b>\$121,931,996</b>	<b>\$56,154,139</b>	<b>\$1,888,903</b>	<b>\$0</b>	<b>\$63,888,954</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$3,095,748</b>	<b>\$1,535,423</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,560,325</b>	<b>0.0</b>
Percentage Change	2.6%	2.8%	0.0%	n/a	2.5%	n/a

### FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1246 modifies FY 2019-20 appropriations and includes a reduction of \$2.0 million total funds, including \$1.0 million General Fund, including the following:

- \$129,585 total funds, including \$64,793 General Fund, for changes in the forecast of enrollment and expenditures in Division of Youth Services placements; and
- \$1.8 million total funds, including \$0.9 million General Fund, for indirect cost recoveries.

House Bill 20-1360 modifies FY 2019-20 appropriations to provide a net reduction of \$0.7 million total funds, including \$2.0 million General Fund. Department of Human Services Medicaid-funded Programs adjustments include:

- A reduction of \$0.7 million total funds, including \$0.3 General Fund, for delayed implementation of the regional center electronic health record; and
- A net zero adjustment including a reduction of \$1.7 million General Fund with an offsetting increase in federal funds due to a temporary 6.2 percent increase in the standard federal match rate for Medicaid through the federal Families First Coronavirus Relief Act.

### FY 2020-21 APPROPRIATION HIGHLIGHTS

**PROVIDER RATE CHANGES:** The appropriation includes net increase of \$1.7 million total funds, including \$0.8 million General Fund, for changes to provider rates, including:

- An increase of \$1.9 million total funds, including \$0.9 million General Fund, for targeted rate adjustments for residential child care facilities habilitation placements and
- A reduction of \$0.2 million, including \$0.1 million General Fund, for a common policy across-the-board decrease for most community providers of 1.0 percent.

**HUMAN SERVICES PROGRAMS:** The table below summarizes the changes for each division within the Department of Human Services that is responsible for the administration of the program. See the Part III detail of appropriation by administrative section for the Department of Human Services for more information.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see the *Appendix A, Recent Legislation*.

# Details

## DEPARTMENT OF HIGHER EDUCATION

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

DEPARTMENT OF HIGHER EDUCATION						
	TOTAL FUNDS	GENERAL FUND <sup>1,2</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$5,311,541,303</b>	<b>\$1,111,529,895</b>	<b>\$2,822,976,639</b>	<b>\$901,199,179</b>	<b>\$475,835,590</b>	<b>26,304.0</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Department Administrative Office	6,149,880	362,810	3,744,239	1,360,796	682,035	0.0
Colorado Commission on Higher Education and Higher Education Special Purpose Programs	131,482,450	29,991,548	75,591,398	20,592,601	5,306,903	99.2
Colorado Commission on Higher Education Financial Aid	220,108,854	219,788,594	0	320,260	0	1.3
College Opportunity Fund Program	824,382,899	824,382,899	0	0	0	0.0
Governing Boards	3,968,380,189	600,000	2,712,890,753	822,657,060	432,232,376	25,862.5
Local District College Grants Pursuant to Section 23-71-301, C.R.S.	31,628,993	19,663,825	1,558,870	0	10,406,298	0.0
Division of Occupational Education	72,837,898	13,910,021	0	32,700,632	26,227,245	32.0
Auraria Higher Education Center	23,470,547	0	0	23,470,547	0	188.5
History Colorado	33,099,593	2,830,198	29,191,379	97,283	980,733	120.5
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$4,867,932,187	\$1,108,869,602	\$2,832,661,687	\$900,516,058	\$25,884,840	26,297.8
SB 19-001	2,500,000	0	2,500,000	0	0	0.0
SB 19-003	623,969	623,969	0	0	0	1.4
SB 19-137	218,825	218,825	0	0	0	1.0
SB 19-176	210,000	105,000	0	105,000	0	1.0
SB 19-190	1,217,787	1,217,787	0	0	0	0.9
SB 19-228	1,100,000	0	1,100,000	0	0	0.0
SB 19-231	305,145	305,145	0	0	0	0.8
HB 19-1006	1,000,000	1,000,000	0	0	0	0.0
HB 19-1202	200,634	100,317	0	100,317	0	0.9
HB 19-1264	500,000	250,000	0	250,000	0	0.0
HB 19-1294	30,000	15,000	0	15,000	0	0.0
HB 20-1247	212,804	49,250	0	212,804	(49,250)	0.2
HB 20-1360	434,889,952	(1,825,000)	(13,285,048)	0	450,000,000	0.0
HB 20-1411	600,000	600,000	0	0	0	0.0
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$3,963,717,295</b>	<b>\$604,518,340</b>	<b>\$2,901,671,594</b>	<b>\$431,676,885</b>	<b>\$25,850,476</b>	<b>26,733.3</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Department Administrative Office	5,213,901	332,334	3,099,995	1,192,140	589,432	0.0
Colorado Commission on Higher Education and Higher Education Special Purpose Programs	134,832,661	28,043,514	73,520,135	27,856,260	5,412,752	87.7
Colorado Commission on Higher Education Financial Aid	215,640,219	214,320,698	0	1,319,521	0	0.0
College Opportunity Fund Program	345,440,572	345,440,572	0	0	0	0.0
Governing Boards	3,138,426,895	0	2,793,720,723	344,706,172	0	26,304.1
Local District College Grants Pursuant to Section 23-71-301, C.R.S.	9,919,040	8,258,807	1,660,233	0	0	0.0

DEPARTMENT OF HIGHER EDUCATION						
	TOTAL FUNDS	GENERAL FUND <sup>1,2</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Division of Occupational Education	56,948,679	5,842,209	0	32,240,551	18,865,919	32.0
Auraria Higher Education Center	23,939,958	0	0	23,939,958	0	189.0
History Colorado	33,355,370	2,280,206	29,670,508	422,283	982,373	120.5
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360	\$3,972,963,677	\$610,162,421	\$2,903,252,129	\$433,698,651	\$25,850,476	26,733.3
HB 20-1364	(500,000)	0	(500,000)	0	0	0.0
HB 20-1379	(441,133)	(160,598)	(280,535)	0	0	0.0
HB 20-1385	(4,043,532)	(2,021,766)	0	(2,021,766)	0	0.0
HB 20-1398	(3,461,717)	(3,461,717)	0	0	0	0.0
HB 20-1399	(800,000)	0	(800,000)	0	0	0.0
<b>INCREASE/(DECREASE)</b>	<b>(\$1,347,824,008)</b>	<b>(\$507,011,555)</b>	<b>\$78,694,955</b>	<b>(\$469,522,294)</b>	<b>(\$449,985,114)</b>	<b>429.3</b>
Percentage Change	(25.4%)	(45.6%)	2.8%	(52.1%)	(94.6%)	1.6%

<sup>1</sup>Includes appropriations from the CARE subfund in the General Fund for FY 2019-20.

<sup>2</sup>Includes General Fund Exempt.

**GENERAL FUND EXEMPT AND CARE SUBFUND IN THE GENERAL FUND:** Amounts in the General Fund column include appropriations from the following accounts:

- General Fund
- General Fund Exempt
- CARE subfund in the General Fund

**General Fund Exempt:** The General Fund Exempt Account was created by Referendum C, passed by Colorado voters in November 2005. Referendum C allowed the State to retain for FY 2005-06 through FY 2009-10 all revenue collected in excess of the TABOR limit and for FY 2010-11 and subsequent fiscal years all revenues in excess of the TABOR limit but less than the excess state revenues cap. The retained revenue must be placed in the General Fund Exempt Account. The table below shows the amount appropriated from the General Fund Exempt Account for FY 2019-20 and FY 2020-21 for higher education pursuant to Sections 24-77-103.6 (2)(b) and 24-77-104.5 (1)(b)(III), C.R.S.

**CARE subfund in the General Fund:** Federal H.R. 748, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, created the \$150.0 billion Coronavirus Relief Fund, which was allocated to states, tribal governments, territories, and local governments to address costs directly related to the novel coronavirus, COVID-19. Colorado's state government received a total allocation of \$1,673,849,579 from the Coronavirus Relief Fund, and of this amount, \$70,000,000 was transferred to the General Fund through Executive Order D 2020 070 and placed in the CARE subfund for appropriation by the General Assembly. The table below shows the amount appropriated from the CARE subfund for FY 2020-21 for higher education through legislation enacted in the 2020 legislative session.

Federal law requires that this funding is to be used to cover those expenditures that:

- 1 are necessary expenditures incurred due to the public health emergency with respect to COVID-19;
- 2 were not accounted for in the budget most recently approved as of the date of enactment of this section for the State or government; and
- 3 were incurred during the period that begins March 1, 2020, and ends on December 30, 2020.

For additional information on General Fund Exempt and CARE subfund appropriations, see Appendix D.

GENERAL FUND SUMMARY	TOTAL GENERAL FUND	GENERAL FUND	CARE SUBFUND IN THE GENERAL FUND	GENERAL FUND EXEMPT
FY 2019-20	\$1,111,529,895	\$647,684,062	\$600,000	\$463,245,833
FY 2020-21	\$604,518,340	\$580,104,446	\$0	\$24,413,894

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of Higher Education are annotated with the "(I)". For additional information, see Appendix K.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$496,611,182	\$0	\$470,708,748	\$51,958	\$25,850,476

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### DEPARTMENT ADMINISTRATIVE OFFICE

This division includes funding for centrally appropriated items for the Colorado Commission on Higher Education, the Division of Private Occupational Schools, and History Colorado. These centrally appropriated items include salary survey, risk management, leased space, health benefits, and other miscellaneous expenses. These expenses are not appropriated centrally for the other divisions within the Department. The sources of cash funds include limited gaming revenues deposited in the State Historical Fund and various fees. The source of reappropriated funds is indirect cost recoveries.

DEPARTMENT ADMINISTRATIVE OFFICE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$6,149,880	\$313,560	\$3,744,239	\$1,360,796	\$731,285	0.0
HB 20-1247	0	49,250	0	0	(49,250)	0.0
<b>TOTAL</b>	<b>\$6,149,880</b>	<b>\$362,810</b>	<b>\$3,744,239</b>	<b>\$1,360,796</b>	<b>\$682,035</b>	<b>0.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$6,149,880	\$362,810	\$3,744,239	\$1,360,796	\$682,035	0.0
Annualize prior year budget action	(477,673)	(11,562)	(338,391)	(82,996)	(44,724)	0.0
Centrally appropriated line items	(17,173)	141,684	(25,318)	(85,660)	(47,879)	0.0
<b>HB 20-1360</b>	<b>\$5,655,034</b>	<b>\$492,932</b>	<b>\$3,380,530</b>	<b>\$1,192,140</b>	<b>\$589,432</b>	<b>0.0</b>
HB 20-1379	(441,133)	(160,598)	(280,535)	0	0	0.0
<b>TOTAL</b>	<b>\$5,213,901</b>	<b>\$332,334</b>	<b>\$3,099,995</b>	<b>\$1,192,140</b>	<b>\$589,432</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$935,979)</b>	<b>(\$30,476)</b>	<b>(\$644,244)</b>	<b>(\$168,656)</b>	<b>(\$92,603)</b>	<b>0.0</b>
Percentage Change	(15.2%)	(8.4%)	(17.2%)	(12.4%)	(13.6%)	n/a

### FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1247 modifies fund sources for PERA direct distribution payments, which help to address PERA's unfunded liability, replacing federal funds determined to be uncollectible with General Fund appropriations.

### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out-year impact of prior year salary survey.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes the following adjustments to centrally appropriated line items.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
AED adjustment	61,579	31,102	19,200	(11,511)	22,788	0.0
SAED adjustment	61,579	31,102	19,200	(11,511)	22,788	0.0
CORE adjustment	71,352	0	26,972	44,380	0	0.0
PERA Direct Distribution	60,601	102,490	50,053	(91,942)	0	0.0
Health, life, and dental adjustment	25,869	32,923	84,816	2,364	(94,234)	0.0
Short-term disability adjustment	1,364	977	(42)	(350)	779	0.0
Payments to OIT adjustment	(160,187)	(2,046)	(148,147)	(9,994)	0	0.0
Payment to risk management / property funds adjustment	(69,897)	0	(70,607)	710	0	0.0
HLD decrease in lieu of ps base reduction for budget balancing	(54,864)	(54,864)	0	0	0	0.0
Workers' compensation adjustment	(7,112)	0	972	(8,084)	0	0.0
Legal services adjustment	(6,661)	0	(6,939)	278	0	0.0
ALJ adjustment	(796)	0	(796)	0	0	0.0
<b>TOTAL</b>	<b>(\$17,173)</b>	<b>\$141,684</b>	<b>(\$25,318)</b>	<b>(\$85,660)</b>	<b>(\$47,879)</b>	<b>0.0</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## COLORADO COMMISSION ON HIGHER EDUCATION AND HIGHER EDUCATION SPECIAL PURPOSE PROGRAMS

This division includes funding for the Commission's staff, the Division of Private Occupational Schools, special purpose initiatives of the Department, and higher education lease purchase payments and related capital costs. The sources of cash funds include indirect cost recoveries, fees paid to the Division of Private Occupational Schools, limited gaming revenues that are used for competitive research grants, and federal mineral lease revenue and tobacco settlement revenue used for certain lease purchase payments. The primary source of reappropriated funds is indirect cost recoveries.

COLORADO COMMISSION ON HIGHER EDUCATION AND HIGHER EDUCATION SPECIAL PURPOSE PROGRAMS						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$129,834,065	\$28,555,967	\$75,591,398	\$20,379,797	\$5,306,903	95.7
SB 19-003	623,969	623,969	0	0	0	1.4
SB 19-137	218,825	218,825	0	0	0	1.0
SB 19-190	1,217,787	1,217,787	0	0	0	0.9
HB 19-1006	1,000,000	1,000,000	0	0	0	0.0
HB 20-1247	212,804	0	0	212,804	0	0.2
HB 20-1360	(1,625,000)	(1,625,000)	0	0	0	0.0
<b>TOTAL</b>	<b>\$131,482,450</b>	<b>\$29,991,548</b>	<b>\$75,591,398</b>	<b>\$20,592,601</b>	<b>\$5,306,903</b>	<b>99.2</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$131,482,450	\$29,991,548	\$75,591,398	\$20,592,601	\$5,306,903	99.2
Indirect cost assessments	7,272,391	74,025	259,980	6,832,537	105,849	0.0
Wildfire Mitigation Grant Program	1,000,000	1,000,000	0	0	0	0.0
Lease purchase payment adjustments	641,257	1,003,023	(1,000,760)	638,994	0	0.0
Technical adjustments	535,186	768,186	11,118	(244,118)	0	0.5
Annualize prior year legislation	423,770	466,086	4,434	(46,750)	0	0.0
Div. Private Occupational Schools IT system	200,000	0	200,000	0	0	0.0



COLORADO COMMISSION ON HIGHER EDUCATION AND HIGHER EDUCATION SPECIAL PURPOSE PROGRAMS						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize prior year budget action	136,961	0	53,965	82,996	0	0.0
Informational federal FTE adjustment	0	0	0	0	0	(10.0)
Institute for Cannabis Research	(800,000)	0	(800,000)	0	0	0.0
Annualize Long Bill supplemental	(667,116)	(667,116)	0	0	0	(2.0)
Rural Teaching Fellowship program	(500,000)	(500,000)	0	0	0	0.0
Prosecution Fellowship Program	(356,496)	(356,496)	0	0	0	0.0
Open Educational Resources	(200,000)	(200,000)	0	0	0	0.0
WICHE Optometry program	(74,025)	(74,025)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$139,094,378</b>	<b>\$31,505,231</b>	<b>\$74,320,135</b>	<b>\$27,856,260</b>	<b>\$5,412,752</b>	<b>87.7</b>
HB 20-1398	(3,461,717)	(3,461,717)	0	0	0	0.0
HB 20-1399	(800,000)	0	(800,000)	0	0	0.0
<b>TOTAL</b>	<b>\$134,832,661</b>	<b>\$28,043,514</b>	<b>\$73,520,135</b>	<b>\$27,856,260</b>	<b>\$5,412,752</b>	<b>87.7</b>
<b>INCREASE/(DECREASE)</b>	<b>\$3,350,211</b>	<b>(\$1,948,034)</b>	<b>(\$2,071,263)</b>	<b>\$7,263,659</b>	<b>\$105,849</b>	<b>(11.5)</b>
Percentage Change	2.5%	(6.5%)	(2.7%)	35.3%	2.0%	(11.6%)

<sup>1</sup> Includes General Fund Exempt for FY 2019-20.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1247 adds an appropriation of \$212,804 reappropriated funds and 0.2 FTE to address costs associated with implementing H.B. 19-1196, which extended access to state-funded financial aid for a subset of undocumented students. The Department originally assessed this bill as having no fiscal impact but has corrected its analysis. The appropriation enables the State to pursue a software solution, and associated staff support, to provide undocumented students who qualify for state financial aid access to an on-line tool similar to the free application for federal student aid (FAFSA). Costs would be covered by the higher education governing boards.

House Bill 20-1360 reduces General Fund appropriations for programs created through new legislation in FY 2019-20, including Educator Loan Forgiveness (\$500,000) and Growing Great Teachers Teacher Mentor Grants (\$1,125,000).

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**INDIRECT COST ASSESSMENTS:** A new Department indirect cost recovery plan includes a technical change to the way indirect cost collections are shown in this department. Previously, indirect cost assessments were applied directly to line items to offset General Fund. Now the amounts are first identified in a new Indirect Cost Assessments line item before they are applied to offset General Fund otherwise required. The change creates a double count of \$7,272,391 in this division.

**WILDFIRE MITIGATION GRANT PROGRAM:** The appropriation includes \$1,000,000 General Fund for the Forest Restoration and Wildfire Risk Mitigation Grant Program Cash Fund, which is managed by the Colorado State Forest Service at Colorado State University. The program received a one-time appropriation of \$1,000,000 General Fund through H.B. 19-1006. The Long Bill includes the same level of funding for FY 2020-21.

**LEASE PURCHASE PAYMENT ADJUSTMENTS:** The appropriation includes technical adjustments to lease purchase obligations, including the University of Colorado Health Sciences Center at Fitzsimons lease purchase authorized by H.B. 03-1256 (\$14.2 million payment per year) and the Higher Education Federal Mineral Lease Revenues lease purchase that supported various higher education capital construction projects in 2008 (\$16.9 million per year payment). FY 2020-21 adjustments require \$1,003,023 in additional General Fund to offset lower projections for Federal Mineral Lease and Tobacco Master Settlement revenues.

**TECHNICAL ADJUSTMENTS:** The appropriation includes various technical adjustments to appropriations. In this section this includes a fund source adjustment for veterinary medicine capital outlay and a \$7,000 General Fund increase in fees for the Western Interstate Commission on Higher Education (WICHE).

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the second- third-, and out-year impact of prior year legislation. Note that the annualization in the Long Bill that is reflected below for FY 2020-21 is in some cases reversed through other adjustments in the Long Bill or separate legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 15-211 Depreciation Lease Equivalent Adjustment	\$1,015,354	\$1,015,354	\$0	\$0	\$0	0.0
SB 19-003 Educator Loan Forgiveness	493,443	493,443	0	0	0	0.1
SB 18-200 Eliminate PERA unfunded liability	18,018	1,599	4,434	11,985	0	0.0
HB 19-1006 Wildfire Mitigation Wild and Urban Interface Areas	(1,000,000)	(1,000,000)	0	0	0	0.0
HB 19-1196 Implementation	(58,735)	0	0	(58,735)	0	0.3
SB 19-190 Growing Great Teachers	(44,310)	(44,310)	0	0	0	(0.4)
<b>TOTAL</b>	<b>\$423,770</b>	<b>\$466,086</b>	<b>\$4,434</b>	<b>(\$46,750)</b>	<b>\$0</b>	<b>(0.0)</b>

**DIV. PRIVATE OCCUPATIONAL SCHOOLS IT SYSTEM:** The appropriation includes \$200,000 cash funds spending authority in FY 2020-21, annualizing to \$100,000 cash funds spending authority for the subsequent three fiscal years, to enable the Division of Private Occupational Schools to implement a comprehensive IT solution to improve the Division's workflow. The Division regulates over 300 private occupational schools and currently collects school information mostly in paper format, which is then transcribed into outdated databases. The solution proposed by the Division will build on existing technology used for schools that wish to provide services funded by the federal Workforce Innovation and Opportunity Act (WIOA). The Division anticipates that with the new automated system, the time required for a school to seek approval can be reduced by 50-70 percent. It currently requires 2 months to 1 year for a school to complete the approval process.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments to reflect the out-year impact of FY 2019-20 salary survey.

**INFORMATIONAL FEDERAL FTE ADJUSTMENT:** The appropriation reduces FTE shown for the federal GEAR UP program to more accurately reflect program staffing.

**INSTITUTE FOR CANNABIS RESEARCH:** The appropriation reduces the appropriation for the Institute for Cannabis Research at Colorado State University - Pueblo by \$800,000 cash funds. The FY 2019-20 appropriation was \$1.8 million cash funds from the Marijuana Tax Cash Fund. The appropriation reduces this funding to \$1.0 million cash funds. This is a budget balancing action.

**ANNUALIZE LONG BILL SUPPLEMENTAL:** The appropriation includes the second-year impact of mid-year adjustments included in the Long Bill supplemental. This includes eliminating the balance of funding for the Educator Loan Forgiveness program (\$618,016 General Fund and 1.5 FTE) and the Growing Great Teachers program (\$49,100 General Fund and 0.5 FTE). These programs were created through new legislation during the 2019 session but never fully launched due to the Coronavirus pandemic and the decline in available state funds in FY 2019-20.

**RURAL TEACHING FELLOWSHIP PROGRAM:** The appropriation reduces the appropriation for the Rural Teacher Fellowship Program by \$500,000. This is a budget balancing action. The program provides a fellowship of \$5,000 for a student teacher in a rural area if that amount is matched by the student's institution. The program has been spending less than \$100,000 per year, and a roll-forward of approximately \$170,000 is anticipated to be available for FY 2020-

21. This program is now combined in a single line item with other programs designed to support rural educators. The appropriation for the combined line item is \$709,354 General Fund for FY 2020-21.

**PROSECUTION FELLOWSHIP PROGRAM:** The appropriation suspends for one year funding for the Prosecution Fellowship Program. This is a budget balancing action. The program places six recent graduates from the state's two major law schools, the University of Colorado at Boulder and the University of Denver, into one year prosecution fellowships in rural jurisdictions around the state.

**OPEN EDUCATIONAL RESOURCES:** The appropriation reduces funding for the Open Educational Resources (OER) grant program by \$200,000 General Fund. This is a budget balancing action. Open educational resources are high-quality teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that permits their free use and repurposing by others. The OER grant program provides grants to public institutions of higher education to promote the use of OER at the institutions and to faculty and staff, individually or in groups, to create and adapt open educational resources. With this reduction, the program has an appropriation of \$960,877 for FY 2020-21.

**WICHE OPTOMETRY PROGRAM:** The appropriation reduces appropriations for the Western Interstate Commission on Higher Education (WICHE) Optometry program by \$74,025 General Fund. This is a budget balancing action. This program provides funding of approximately \$18,000 per student per year for Colorado students to enroll in out-of-state institutions with optometry programs at subsidized rates. The exchange offers an alternative to establishing such a program in Colorado, as there is currently no optometry school in the State. In return for discounted tuition, participating students agree to return to Colorado to practice optometry for the same number of years as they were supported, or to repay the state for its investment. The appropriation reduces funding for the program based on not enrolling new students as others complete their program. The appropriation reflects the assumption that four positions will not be filled in FY 2020-21 and an additional four will not be filled in FY 2021-22.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## COLORADO COMMISSION ON HIGHER EDUCATION FINANCIAL AID

This division includes the state-funded financial aid programs, most of which are administered by the Colorado Commission on Higher Education. This division is supported by General Fund and, in some years, reappropriated funds from indirect cost recoveries.

COLORADO COMMISSION ON HIGHER EDUCATION FINANCIAL AID						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$220,003,709	\$219,683,449	\$0	\$320,260	\$0	0.5
SB 19-231	305,145	305,145	0	0	0	0.8
HB 20-1360	(200,000)	(200,000)	0	0	0	0.0
<b>TOTAL</b>	<b>\$220,108,854</b>	<b>\$219,788,594</b>	<b>\$0</b>	<b>\$320,260</b>	<b>\$0</b>	<b>1.3</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$220,108,854	\$219,788,594	\$0	\$320,260	\$0	1.3
Fort Lewis Native American Tuition Waiver	2,164,552	2,164,552	0	0	0	0.0
Annualize prior year legislation	5,226	5,226	0	0	0	0.2
Indirect cost adjustments	0	(999,261)	0	999,261	0	0.0
Merit Based Grants	(5,000,000)	(5,000,000)	0	0	0	0.0
Colorado Opportunity Scholarship Initiative	(1,000,000)	(1,000,000)	0	0	0	0.0
Technical adjustments	(528,186)	(528,186)	0	0	0	(0.5)

COLORADO COMMISSION ON HIGHER EDUCATION FINANCIAL AID						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize Long Bill supplemental	(110,227)	(110,227)	0	0	0	(1.0)
<b>HB 20-1360</b>	<b>\$215,640,219</b>	<b>\$214,320,698</b>	<b>\$0</b>	<b>\$1,319,521</b>	<b>\$0</b>	<b>0.0</b>
<b>TOTAL</b>	<b>\$215,640,219</b>	<b>\$214,320,698</b>	<b>\$0</b>	<b>\$1,319,521</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$4,468,635)</b>	<b>(\$5,467,896)</b>	<b>\$0</b>	<b>\$999,261</b>	<b>\$0</b>	<b>(1.3)</b>
Percentage Change	(2.0%)	(2.5%)	n/a	312.0%	n/a	(100.0%)

<sup>1</sup> Includes General Fund Exempt for FY 2019-20.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1360 reduces the FY 2019-20 appropriation for the Second Chance Scholarship Program by \$200,000 General Fund.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**FORT LEWIS COLLEGE NATIVE AMERICAN TUITION WAIVER:** The appropriation includes an increase of \$2,164,552 General Fund for the Fort Lewis College Native American tuition waiver, bringing the total waiver payment to \$21,790,595 General Fund. Waiver payments are mandated by Section 23-52-105 (1)(b)(I), C.R.S., which requires the General Assembly to fund 100.0 percent of the tuition obligations for qualifying Native American students attending Fort Lewis College. Funding for the tuition waiver is made one year in arrears and is calculated based on the prior year enrollment estimates.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 19-231 Colorado Second Chance Scholarship	\$4,788	\$4,788	\$0	\$0	\$0	0.2
SB 18-200 Eliminate PERA unfunded liability	438	438	0	0	0	0.0
<b>TOTAL</b>	<b>\$5,226</b>	<b>\$5,226</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.2</b>

**INDIRECT COST ADJUSTMENTS:** A new Department indirect cost recovery plan provides a net increase in the indirect cost recoveries collected from programs supported by the Department, resulting in a decrease in General Fund required in this division.

**MERIT BASED GRANTS:** The appropriation eliminates the \$5.0 million General Fund appropriation for merit based grants. Since FY 2014-15 this amount has been allocated by the Colorado Commission on Higher Education to institutions of higher education that then award the funds to students on the basis of academic or other merit. This is a budget balancing action.

**COLORADO OPPORTUNITY SCHOLARSHIP INITIATIVE:** The appropriation reduces the appropriation for the Colorado Opportunity Scholarship Initiative by \$1.0 million, from \$7,000,000 General Fund to \$6,000,000 General Fund. The program funds matching student scholarships and support services for secondary and post-secondary students to support student matriculation, persistence, and success in higher education. This is a budget balancing action. Funding is expected to be restored in FY 2022-23.

**TECHNICAL ADJUSTMENTS:** The appropriation includes various technical adjustments to appropriations. In this division, this includes a reduction to transfer funds associated with the Rural Teacher Fellowship program and

consolidate it in the Colorado Commission on Higher Education and Special Purpose Programs section. In addition, this section includes an increase of \$284,000 General Fund for the Dependent Tuition Assistance Program, which is offset by a matching General Fund decrease to the Work Study appropriation.

**ANNUALIZE LONG BILL SUPPLEMENTAL:** The appropriation includes the second-year impact of mid-year adjustments included in the Long Bill supplemental. In this division, this includes eliminating the balance of appropriations for the Second Chance Scholarship program. This is a budget balancing action. This program was created through new legislation during the 2019 session but never fully launched due to the Coronavirus pandemic and the decline in available state funds in FY 2019-20.

## COLLEGE OPPORTUNITY FUND PROGRAM

This section provides funding for student stipend payments for resident students attending state-operated higher education institutions and resident students attending certain private institutions located in the state, as well as fee-for-service contracts between the Commission and the institutions. For a summary of the impact of these changes by governing board, see the Governing Boards section.

COLLEGE OPPORTUNITY FUND PROGRAM						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$823,912,582	\$823,912,582	\$0	\$0	\$0	0.0
SB 19-176	105,000	105,000	0	0	0	0.0
HB 19-1202	100,317	100,317	0	0	0	0.0
HB 19-1264	250,000	250,000	0	0	0	0.0
HB 19-1294	15,000	15,000	0	0	0	0.0
HB 20-1360	0	0	0	0	0	0.0
<b>TOTAL</b>	<b>\$824,382,899</b>	<b>\$824,382,899</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$824,382,899	\$824,382,899	\$0	\$0	\$0	0.0
Technical adjustments	0	0	0	0	0	0.0
Base funding for public higher education	(474,706,312)	(474,706,312)	0	0	0	0.0
Cybercoding cryptology program	(2,000,000)	(2,000,000)	0	0	0	0.0
Annualize prior year legislation	(214,249)	(214,249)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$347,462,338</b>	<b>\$347,462,338</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
HB 20-1385	(2,021,766)	(2,021,766)	0	0	0	0.0
<b>TOTAL</b>	<b>\$345,440,572</b>	<b>\$345,440,572</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$478,942,327)</b>	<b>(\$478,942,327)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	(58.1%)	(58.1%)	n/a	n/a	n/a	n/a

<sup>1</sup> Includes General Fund Exempt.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1360 increases appropriations from the General Fund and reduces appropriations from the General Fund Exempt Account by the same amount.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**TECHNICAL ADJUSTMENTS:** The appropriation includes various technical adjustments to appropriations. In this division this includes increasing appropriations from the General Fund and reducing appropriations from the General Fund Exempt Account by the same amount for a net \$0 funds impact.

**BASE FUNDING FOR PUBLIC HIGHER EDUCATION:** The appropriation includes a reduction of \$493.2 million General Fund (58.0 percent) in General Fund support for public institutions of higher education, including \$474.7 million in this section. This is a budget balancing action. Funding includes a reduction in the stipend for undergraduate resident students from \$94 per credit hour in FY 2019-20 to \$40 per credit hour (\$1,200 per student FTE) in FY 2020-21 and reductions in fee-for-service contracts with the state governing boards. The appropriation includes an associated reduction of \$991,440 General Fund for stipends for students at private institutions, as this is based on 50.0 percent of the stipend amount for students at public institutions. A footnote specifies the General Assembly's intent that only 5.0 percentage points of the reduction should be treated as an ongoing base reduction for purposes of developing the FY 2021-22 appropriation.

**CYBERCODING CRYPTOLOGY PROGRAM:** The appropriation strikes \$2.0 million of the \$5.1 million General Fund appropriation for cybercoding cryptology programs at the state institutions of higher education. This funding is provided through limited purpose fee-for-service contracts with six of the state governing boards. Reductions are applied in proportion to each governing board's share of the base funding. This is a budget balancing action.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impact of prior year legislation..

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1202 Food Systems Advisory Council	\$50,751	\$50,751	\$0	\$0	\$0	0.0
HB 19-1264 Conservation Easement Tax Credit Modifications	(250,000)	(250,000)	0	0	0	0.0
HB 19-1294 Apprenticeship credit	(15,000)	(15,000)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$214,249)</b>	<b>(\$214,249)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## GOVERNING BOARDS

This division includes cash funds for the state-operated higher education institutions from tuition, tobacco settlement money, mandatory student fees, gaming funds, and Marijuana Tax Cash Funds. It also includes reappropriated funds for student stipend payments and fee-for-service contracts with the state governing boards. Amounts shown as reappropriated funds in this section are appropriated first as General Fund in the College Opportunity Fund Program section.

GOVERNING BOARDS						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS <sup>2</sup>	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$3,544,762,544	\$0	\$2,722,575,801	\$822,186,743	\$0	25,860.6
SB 19-001	2,500,000	0	2,500,000	0	0	0.0
SB 19-176	105,000	0	0	105,000	0	1.0
SB 19-228	1,100,000	0	1,100,000	0	0	0.0
HB 19-1202	100,317	0	0	100,317	0	0.9
HB 19-1264	250,000	0	0	250,000	0	0.0
HB 19-1294	15,000	0	0	15,000	0	0.0
HB 20-1360	418,947,328	0	(13,285,048)	0	432,232,376	0.0
HB 20-1411	600,000	600,000	0	0	0	0.0
<b>TOTAL</b>	<b>\$3,968,380,189</b>	<b>\$600,000</b>	<b>\$2,712,890,753</b>	<b>\$822,657,060</b>	<b>\$432,232,376</b>	<b>25,862.5</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$3,968,380,189	\$600,000	\$2,712,890,753	\$822,657,060	\$432,232,376	25,862.5
Tuition spending authority	76,380,383	0	76,380,383	0	0	0.0
Higher education fees	5,115,121	0	5,115,121	0	0	0.0
Higher education limited gaming revenue	829,573	0	829,573	0	0	0.0
Opioid treatment provider education	250,000	0	250,000	0	0	0.0
Governing board employee FTE	0	0	0	0	0	441.5
Base funding for public higher education	(473,714,873)	0	0	(473,714,873)	0	0.0
Annualize Long Bill supplemental	(432,232,376)	0	0	0	(432,232,376)	0.0
Cybercoding cryptology program	(2,000,000)	0	0	(2,000,000)	0	0.0
Annualize prior year legislation	(1,114,249)	(600,000)	(300,000)	(214,249)	0	0.1
Tobacco Master Settlement revenue	(945,107)	0	(945,107)	0	0	0.0
<b>HB 20-1360</b>	<b>\$3,140,948,661</b>	<b>\$0</b>	<b>\$2,794,220,723</b>	<b>\$346,727,938</b>	<b>\$0</b>	<b>26,304.1</b>
HB 20-1364	(500,000)	0	(500,000)	0	0	0.0
HB 20-1385	(2,021,766)	0	0	(2,021,766)	0	0.0
<b>TOTAL</b>	<b>\$3,138,426,895</b>	<b>\$0</b>	<b>\$2,793,720,723</b>	<b>\$344,706,172</b>	<b>\$0</b>	<b>26,304.1</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$829,953,294)</b>	<b>(\$600,000)</b>	<b>\$80,829,970</b>	<b>(\$477,950,888)</b>	<b>(\$432,232,376)</b>	<b>441.6</b>
Percentage Change	(20.9%)	(100.0%)	3.0%	(58.1%)	(100.0%)	1.7%

<sup>1</sup> The FY 2019-20 appropriation includes \$600,000 from the CARE subfund in the General Fund.

<sup>2</sup> Reappropriated amounts in this section reflect General Fund amounts that are initially appropriated in the College Opportunity Fund Program section.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1360 adds \$450.0 million federal funds for informational purposes to show Coronavirus Relief Funds allocated by the Governor to the public institutions of higher education. This includes \$432.2 million federal funds for the state governing boards funded in this section. For information on the allocation of these funds see Factors Driving the Budget in Part II of the report.

This bill also adjusts governing boards' cash fund tuition and fee appropriations based on updated FY 2019-20 forecast data. This includes reducing FY 2019-20 tuition spending authority for the state governing boards by a total of \$17,585,177, partially offset by increasing mandatory fee amounts shown for informational purposes by \$4,300,129.

For information on H.B. 20-1411 see *Appendix A, Recent Legislation*.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**TUITION SPENDING AUTHORITY:** The appropriation includes an increase of \$76,380,383 cash funds spending authority for state public institutions' tuition revenue for FY 2020-21. The spending authority is based on the assumption that undergraduate resident tuition rates will increase by no more than 3.0 percent. No limitations are assumed on tuition rates for graduate and nonresident students. The FY 2020-21 Long Bill includes total tuition spending authority for the state governing boards of \$2.48 billion, of which \$1.33 billion is estimated to be from

students with in-state tuition status (Colorado residents) and \$1.15 billion is estimated to be from students classified as nonresidents. Nonresident students generally pay higher tuition rates. The tuition spending authority figures were developed prior to the COVID-19 pandemic. Most higher education institutions have announced that they will not increase tuition for FY 2020-21, and enrollment for FY 2020-21 may be lower than these earlier estimates. Amounts are expected to be adjusted through supplemental budget action in the 2021 legislative session.

**HIGHER EDUCATION FEES:** The bill includes an increase of \$5,115,121 cash funds for a projected increase in mandatory student fee revenue. Mandatory higher education fees are shown for informational purposes only.

**HIGHER EDUCATION LIMITED GAMING REVENUE:** The appropriation includes an increase to reflect the increase in limited gaming tax revenue received by public community colleges from \$13.1 million in year FY 2017-18 to \$14.0 million in FY 2018-19, including an increase of \$829,573 for the institutions included in this section of the budget. While this accurately reflects the prior year actual increase, FY 2019-20 gaming revenue, which is used in FY 2020-21, is expected to fall sharply due to the closure of casinos during the pandemic.

**OPIOID TREATMENT PROVIDER EDUCATION:** The appropriation adds \$250,000 cash funds from the Marijuana Tax Cash Fund to support the work of the Center for Research into Substance Use Disorder Prevention, Treatment, and Recovery Support Strategies at the University of Colorado Health Sciences Center to educate providers about treatment for opioid abuse.

**GOVERNING BOARD EMPLOYEE FTE:** The appropriation includes a net increase of 441.5 FTE for the state governing boards shown in this section. These employee FTE positions are shown for informational purposes only and are based on the estimated number of FY 2019-20 FTE who are paid through state institutions' educational and general budgets (amounts included in the Long Bill). The FY 2020-21 Long Bill reflects a total of 26,493.1 FTE estimated to be employed at the state institutions and the Auraria Higher Education Center. This figure excludes staff employed in research and auxiliary activities such as housing and dining services.

**BASE FUNDING FOR PUBLIC HIGHER EDUCATION:** The appropriation includes a reduction of \$493,187,703 General Fund (58.0 percent) in General Fund support for public institutions of higher education, including \$473,714,873 that is reappropriated in this section. This is a budget balancing action. The reduction is proportionate to the institutions' FY 2019-20 share of General Fund appropriations, and amounts are allocated in compliance with the requirements of H.B. 14-1319. Funding includes a reduction in the stipend for undergraduate resident students from \$94 per credit hour in FY 2019-20 to \$40 per credit hour in FY 2020-21 and reductions in fee-for-service contracts with the state governing boards. A footnote specifies the General Assembly's intent that only 5.0 percentage points of the reduction should be treated as an ongoing base reduction for purposes of developing the FY 2021-22 appropriation.

BASE STATE SUPPORT FOR PUBLIC HIGHER EDUCATION INSTITUTIONS - STATE GOVERNING BOARDS		
	FY 2019-20 BASE STUDENT STIPENDS, FEE-FOR-SERVICE CONTRACTS UNDER 23-18- 303 AND FOR SPECIALTY EDUCATION	FY 2020-21 REDUCTION
Adams State University	\$17,280,257	(\$10,022,549)
Colorado Mesa University	32,184,959	(18,667,276)
Metropolitan State University	63,669,142	(36,928,103)
Western State Colorado University	15,035,379	(8,720,520)
Colorado State University System	170,828,219	(99,080,366)
Fort Lewis College	14,136,437	(8,199,133)
University of Colorado System	241,373,927	(139,996,876)
Colorado School of Mines	25,371,265	(14,715,334)
University of Northern Colorado	47,004,464	(27,262,589)
Community College System	189,865,735	(110,122,127)
<b>Total, State Governing Boards</b>	<b>816,749,784</b>	<b>(473,714,873)</b>



**ANNUALIZE LONG BILL SUPPLEMENTAL:** The appropriation includes the second-year impact of mid-year adjustments included in the Long Bill supplemental. This includes eliminating the \$450.0 million in one-time federal funds allocated by the Governor in FY 2019-20 from Coronavirus Relief Funds, of which \$432.2 million is in this section.

**CYBERCODING CRYPTOLOGY PROGRAM:** The appropriation strikes \$2.0 million of the \$5.1 million General Fund appropriation for cybercoding cryptology programs at the state institutions of higher education. This funding is provided through limited purpose fee-for-service contracts with six of the state governing boards and reappropriated in this section. Reductions are applied in proportion to each governing board's share of the base funding. This is a budget balancing action.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1202 Food Systems Advisory Council	\$50,751	\$0	\$0	\$50,751	\$0	0.1
HB 20-1411 CARE subfund for Behavioral Health	(600,000)	(600,000)	0	0	0	0.0
SB 19-001 Expand Medication-assisted Treatment Pilot Program	(300,000)	0	(300,000)	0	0	0.0
HB 19-1264 Conservation Easement Tax Credit Modifications	(250,000)	0	0	(250,000)	0	0.0
HB 19-1294 Apprenticeship credit	(15,000)	0	0	(15,000)	0	0.0
<b>TOTAL</b>	<b>(\$1,114,249)</b>	<b>(\$600,000)</b>	<b>(\$300,000)</b>	<b>(\$214,249)</b>	<b>\$0</b>	<b>0.1</b>

**TOBACCO MASTER SETTLEMENT REVENUE:** The appropriation includes a decrease based on the FY 2020-21 Tobacco Master Settlement revenue projection. The FY 2020-21 Long Bill reflects \$14,062,806 estimated to be received from the Tobacco Master Settlement Agreement to support programs at the University of Colorado's Health Sciences Center.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## LOCAL DISTRICT COLLEGE GRANTS PURSUANT TO SECTION 23-71-301, C.R.S.

This section subsidizes the operations of the state's two local district colleges: Aims Community College and Colorado Mountain College. These two institutions have special property tax districts that support their operations and governing boards that are independent from state-operated governing board systems. Students from the special property tax districts pay discounted tuition rates. The source of cash funds is limited gaming money.

LOCAL DISTRICT COLLEGE GRANTS PURSUANT TO SECTION 23-71-301, C.R.S.						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$21,222,695	\$19,663,825	\$1,558,870	\$0	\$0	0.0
HB 20-1360	10,406,298	0	0	0	10,406,298	0.0
<b>TOTAL</b>	<b>\$31,628,993</b>	<b>\$19,663,825</b>	<b>\$1,558,870</b>	<b>\$0</b>	<b>\$10,406,298</b>	<b>0.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$31,628,993	\$19,663,825	\$1,558,870	\$0	\$10,406,298	0.0

LOCAL DISTRICT COLLEGE GRANTS PURSUANT TO SECTION 23-71-301, C.R.S.						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Higher education limited gaming revenue	101,363	0	101,363	0	0	0.0
Technical adjustments	0	0	0	0	0	0.0
Base funding for public higher education	(11,405,018)	(11,405,018)	0	0	0	0.0
Annualize Long Bill supplemental	(10,406,298)	0	0	0	(10,406,298)	0.0
<b>HB 20-1360</b>	<b>\$9,919,040</b>	<b>\$8,258,807</b>	<b>\$1,660,233</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>TOTAL</b>	<b>\$9,919,040</b>	<b>\$8,258,807</b>	<b>\$1,660,233</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$21,709,953)</b>	<b>(\$11,405,018)</b>	<b>\$101,363</b>	<b>\$0</b>	<b>(\$10,406,298)</b>	<b>0.0</b>
Percentage Change	(68.6%)	(58.0%)	6.5%	n/a	(100.0%)	n/a

<sup>1</sup> Includes General Fund Exempt for FY 2019-20.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1360 adds \$450.0 million federal funds for informational purposes to show Coronavirus Relief Funds allocated by the Governor to the public institutions of higher education, including \$10,406,298 for the local district colleges.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**HIGHER EDUCATION LIMITED GAMING REVENUE:** The appropriation includes an increase of \$930,936 to reflect the increase in limited gaming tax revenue received by public community colleges from \$13.1 million in year FY 2017-18 to \$14.0 million in FY 2018-19. This includes \$101,363 for the local district colleges.

**TECHNICAL ADJUSTMENTS:** The appropriation includes various technical adjustments to appropriations. This includes reducing appropriations from the General Fund Exempt account and increasing General Fund appropriations by the same amount for a net \$0 funds impact. The adjustment in this section eliminates all General Fund Exempt appropriations.

**BASE FUNDING FOR PUBLIC HIGHER EDUCATION:** The appropriation includes a reduction of \$493,187,703 General Fund (58.0 percent) in General Fund support for public institutions of higher education. This includes a reduction of \$11.4 million General Fund for the local district colleges. This is a budget balancing action.

**ANNUALIZE LONG BILL SUPPLEMENTAL:** The appropriation includes the second-year impact of mid-year adjustments included in the Long Bill supplemental. This includes eliminating the \$450.0 million in one-time federal funds allocated by the Governor in FY 2019-20 from Coronavirus Relief Funds, including \$10.4 million this section.

## DIVISION OF OCCUPATIONAL EDUCATION

This division supervises and administers state occupational education programs and approves the allocation and distribution of state and federal vocational education funds to the community colleges, local district colleges, area technical colleges, secondary school districts, and any other appropriate state and local educational agencies or institutions. This division also coordinates resources available for the promotion of job development, job training, and job retraining in the state. The primary source of reappropriated funds is a transfer from the Department of Education for career and technical education, but there is also a smaller transfer from the Governor's Office for training related to economic development, as well as indirect cost recoveries. The federal funds are from grants from the Carl D. Perkins Vocational and Technical Education Act and miscellaneous smaller grants.

DIVISION OF OCCUPATIONAL EDUCATION						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$65,476,572	\$13,910,021	\$0	\$32,700,632	\$18,865,919	32.0
HB 20-1360	7,361,326	0	0	0	7,361,326	0.0
<b>TOTAL</b>	<b>\$72,837,898</b>	<b>\$13,910,021</b>	<b>\$0</b>	<b>\$32,700,632</b>	<b>\$26,227,245</b>	<b>32.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$72,837,898	\$13,910,021	\$0	\$32,700,632	\$26,227,245	32.0
State Assistance for Career and Technical Education	539,919	0	0	539,919	0	0.0
Technical adjustments	0	0	0	0	0	0.0
Base funding for public higher education	(8,067,812)	(8,067,812)	0	0	0	0.0
Annualize Long Bill supplemental	(7,361,326)	0	0	0	(7,361,326)	0.0
Colorado First Customized Job Training	(1,000,000)	0	0	(1,000,000)	0	0.0
<b>HB 20-1360</b>	<b>\$56,948,679</b>	<b>\$5,842,209</b>	<b>\$0</b>	<b>\$32,240,551</b>	<b>\$18,865,919</b>	<b>32.0</b>
<b>TOTAL</b>	<b>\$56,948,679</b>	<b>\$5,842,209</b>	<b>\$0</b>	<b>\$32,240,551</b>	<b>\$18,865,919</b>	<b>32.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$15,889,219)</b>	<b>(\$8,067,812)</b>	<b>\$0</b>	<b>(\$460,081)</b>	<b>(\$7,361,326)</b>	<b>0.0</b>
Percentage Change	(21.8%)	(58.0%)	n/a	(1.4%)	(28.1%)	0.0%

<sup>1</sup> Includes General Fund Exempt for FY 2019-20.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1360 adds \$450.0 million federal funds for informational purposes to show Coronavirus Relief Funds allocated by the Governor to the public institutions of higher education, including \$7,361,326 for the area technical colleges funded in this section.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**STATE ASSISTANCE FOR CAREER AND TECHNICAL EDUCATION:** The appropriation includes an increase of \$539,919 reappropriated funds from the Department of Education for the State Assistance for Career and Technical Education line item. This aligns with the increase for this categorical program in the Department of Education.

**TECHNICAL ADJUSTMENTS:** The appropriation includes various technical adjustments to appropriations. This includes reducing appropriations from the General Fund Exempt account and increasing General Fund appropriations by the same amount for a net \$0 funds impact. In this division, the appropriation eliminates all funding from the General Fund Exempt Account.

**BASE FUNDING FOR PUBLIC HIGHER EDUCATION:** The appropriation includes a reduction of \$493,187,703 General Fund (58.0 percent) in General Fund support for public institutions of higher education. This includes a reduction of \$8.1 million General Fund for area technical colleges. This is a budget balancing action.

**ANNUALIZE LONG BILL SUPPLEMENTAL:** The appropriation includes the second-year impact of mid-year adjustments included in the Long Bill supplemental. This includes eliminating the \$450.0 million in one-time federal funds allocated by the Governor in FY 2019-20 from Coronavirus Relief Funds, including \$7.4 million in this section.

**COLORADO FIRST CUSTOMIZED JOB TRAINING:** The appropriation reduces the appropriation for this program from \$4.5 million to \$3.5 million reappropriated funds, reflecting amounts transferred from the Governor's Office of Economic Development for community colleges to provide training to employees of new companies or expanding firms. The reduction in the Governor's Office is a budget balancing action.

## AURARIA HIGHER EDUCATION CENTER

Established by statute in 1974, the Auraria Higher Education Center (AHEC) is governed by a Board of Directors who oversee the centralized operations of the campus located in Denver. AHEC houses and provides common services to the Community College of Denver, Metropolitan State University of Denver, and the University of Colorado at Denver and Health Sciences Center. Reappropriated funds in this section are from the governing boards located on the campus.

AURARIA HIGHER EDUCATION CENTER						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$23,470,547	\$0	\$0	\$23,470,547	\$0	188.5
<b>TOTAL</b>	<b>\$23,470,547</b>	<b>\$0</b>	<b>\$0</b>	<b>\$23,470,547</b>	<b>\$0</b>	<b>188.5</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$23,470,547	\$0	\$0	\$23,470,547	\$0	188.5
Auraria Higher Education Center	469,411	0	0	469,411	0	0.0
Governing board employee FTE	0	0	0	0	0	0.5
<b>HB 20-1360</b>	<b>\$23,939,958</b>	<b>\$0</b>	<b>\$0</b>	<b>\$23,939,958</b>	<b>\$0</b>	<b>189.0</b>
<b>TOTAL</b>	<b>\$23,939,958</b>	<b>\$0</b>	<b>\$0</b>	<b>\$23,939,958</b>	<b>\$0</b>	<b>189.0</b>
<b>INCREASE/(DECREASE)</b>	\$469,411		\$0	\$469,411	\$0	0.5
Percentage Change	2.0%	n/a	n/a	2.0%	n/a	0.3%

### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**AURARIA HIGHER EDUCATION CENTER:** The appropriation increases spending authority for the Auraria Higher Education Center by \$469,411 for funds received from the institutions operating on the Auraria campus (University of Colorado – Denver, Metropolitan State University of Denver, and the Community College of Denver).

**GOVERNING BOARD FTE ADJUSTMENTS:** The appropriation includes an increase of 0.5 FTE for the Auraria Higher Education Center. These employee FTE positions are shown for informational purposes only and are based on the estimated number of FY 2019-20 FTE who are paid through state institutions' educational and general budgets (amounts included in the Long Bill).

## HISTORY COLORADO

History Colorado, founded in 1879, is an educational institution of the State and acts as trustee for the State in collecting, preserving, exhibiting, and interpreting collections and properties of state historical significance. History Colorado maintains museums and historical sites throughout Colorado and provides assistance to local and regional historical societies and museums. It also distributes gaming revenue to gaming cities and operates a statewide grant program for historic preservation. Cash funds in this section are primarily from limited gaming funds deposited in the State Historical Fund. Additional sources include cash funds from museum fees, memberships, and other revenue-generating activities and, for informational purposes, support from the State of New Mexico for the Cumbres and Toltec Railroad.

HISTORY COLORADO						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$33,099,593	\$2,830,198	\$29,191,379	\$97,283	\$980,733	120.5
HB 20-1360	0	0	0	0	0	0.0

HISTORY COLORADO						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>TOTAL</b>	<b>\$33,099,593</b>	<b>\$2,830,198</b>	<b>\$29,191,379</b>	<b>\$97,283</b>	<b>\$980,733</b>	<b>120.5</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$33,099,593	\$2,830,198	\$29,191,379	\$97,283	\$980,733	120.5
History Colorado sustainability	1,000,000	1,000,000	0	0	0	0.0
Indirect cost assessments	325,000	0	0	325,000	0	0.0
Hist. CO community museum earned revenue	120,000	0	120,000	0	0	0.0
Annualize prior year legislation	48,450	3,239	44,596	0	615	0.0
Lease purchase payment adjustments	62	0	62	0	0	0.0
Cumbres and Toltec Railroad capital	(1,146,500)	(1,146,500)	0	0	0	0.0
Annualize prior year budget action	(91,235)	(406,731)	314,471	0	1,025	0.0
<b>HB 20-1360</b>	<b>\$33,355,370</b>	<b>\$2,280,206</b>	<b>\$29,670,508</b>	<b>\$422,283</b>	<b>\$982,373</b>	<b>120.5</b>
<b>TOTAL</b>	<b>\$33,355,370</b>	<b>\$2,280,206</b>	<b>\$29,670,508</b>	<b>\$422,283</b>	<b>\$982,373</b>	<b>120.5</b>
<b>INCREASE/(DECREASE)</b>	<b>\$255,777</b>	<b>(\$549,992)</b>	<b>\$479,129</b>	<b>\$325,000</b>	<b>\$1,640</b>	<b>0.0</b>
Percentage Change	0.8%	(19.4%)	1.6%	334.1%	0.2%	0.0%

### FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1360 allows History Colorado to roll forward up to \$489,000 General Fund to FY 2020-21 for a project to improve internet connectivity at the community museums. It also modifies an existing footnote for the Cumbres and Toltec Railroad to allow it use up to \$1,000,000 General Fund originally appropriated in FY 2019-20 for capital projects to address operating shortfalls in FY 2020-21 and FY 2021-22.

### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**HISTORY COLORADO SUSTAINABILITY:** The appropriation includes \$1,000,000 General Fund in FY 2020-21, continuing in FY 2021-22, to assist History Colorado in remaining financially stable, in light of a precipitous decline in limited gaming taxes and earned revenue that support museum and preservation operations. Both revenue sources have been significantly affected by the pandemic. Gaming tax revenue available to History Colorado for use in FY 2020-21 is expected to fall over 50.0 percent, from approximately \$10.5 million available for museum operations in FY 2019-20 to approximately \$5.2 million available in FY 2020-21. Even before the pandemic, History Colorado's museum operations faced significant financial challenges due to annual Certificate of Participation (COP) payments for the History Colorado Center, which required over \$3.0 million per year out of the agency's operating budget of \$18.4 million in FY 2018-19.

**INDIRECT COST ASSESSMENTS:** The appropriation includes a technical change to indirect cost calculations, resulting in an increase of \$325,000 reappropriated funds in this section.

**HIST. CO COMMUNITY MUSEUM EARNED REVENUE:** The appropriation includes an increase of \$120,000 cash funds spending authority in FY 2020-21 for earned revenue at the community museums.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impact of prior year legislation. In this section this includes annualizing S.B. 18-200 (Eliminate PERA Unfunded Liability).

**LEASE PURCHASE PAYMENT ADJUSTMENTS:** The appropriation includes a technical adjustment to the lease purchase for the new History Colorado Center authorized in 2008.

**CUMBRES AND TOLTEC RAILROAD CAPITAL:** The appropriation removes capital-related funding for the Cumbres and Toltec Railroad (\$1,146,500 General Fund). This is a budget balancing action. As discussed above, a Long Bill

supplemental footnote allows the railroad to use up to \$1.0 million General Fund from unspent prior year capital appropriations for operating expenses during FY 2020-21 and FY 2021-22.

**ANNUALIZE PRIOR YEAR BUDGET ACTION:** The appropriation includes adjustments for the second-year impact of prior year budget actions, as reflected in the table below.

ANNUALIZE PRIOR YEAR BUDGET ACTION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$297,809	\$11,562	\$285,222	\$0	\$1,025	0.0
FY 19-20 History Colorado museum connectivity	0	(29,249)	29,249	0	0	0.0
FY 17-18 Community museum revitalization	(389,044)	(389,044)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$91,235)</b>	<b>(\$406,731)</b>	<b>\$314,471</b>	<b>\$0</b>	<b>\$1,025</b>	<b>0.0</b>

*Details***DEPARTMENT OF HUMAN SERVICES**

**FY 2019-20 AND FY 2020-21  
APPROPRIATIONS BY DIVISION AND BILL**

DEPARTMENT OF HUMAN SERVICES						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$2,358,741,148</b>	<b>\$1,028,050,155</b>	<b>\$445,987,547</b>	<b>\$211,209,030</b>	<b>\$673,494,416</b>	<b>5,134.2</b>
<b>BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION</b>						
Executive Director's Office	159,475,381	89,119,470	2,910,259	36,266,601	31,179,051	163.1
Office of Information Technology Services	78,109,073	33,531,059	1,155,086	26,452,407	16,970,521	11.0
Office of Operations	48,980,073	28,443,435	1,402,202	19,134,436	0	423.8
County Administration	87,628,655	29,395,164	22,428,979	0	35,804,512	0.0
Division of Child Welfare	561,791,501	298,311,948	100,450,270	23,802,932	139,226,351	99.1
Office of Early Childhood	272,215,735	93,449,523	48,954,962	7,968,022	121,843,228	90.8
Office of Self Sufficiency	290,225,460	14,138,094	30,733,565	2,712,055	242,641,746	256.7
Office of Behavioral Health	380,553,435	256,621,436	55,419,234	26,342,796	42,169,969	1,426.4
Services for People with Disabilities	135,034,589	4,479,222	44,554,358	64,562,149	21,438,860	1,414.6
Adult Assistance Programs	210,770,185	53,551,810	135,595,103	1,001,800	20,621,472	33.1
Division of Youth Services	133,957,061	127,008,994	2,383,529	2,965,832	1,598,706	1,215.6
<b>BREAKDOWN OF TOTAL APPROPRIATION BY BILL</b>						
SB 19-207	\$2,305,389,929	\$1,033,037,078	\$431,621,749	\$203,762,670	\$636,968,432	5,132.3
SB 19-008	1,963,832	1,963,832	0	0	0	1.5
SB 19-063	50,688	0	0	0	50,688	0.0
SB 19-108	500,000	500,000	0	0	0	0.0
SB 19-136	259,562	259,562	0	0	0	0.5
SB 19-178	60,204	42,143	0	0	18,061	0.0
SB 19-195	442,449	142,449	0	300,000	0	1.5
SB 19-210	(1,886,812)	(1,886,812)	0	0	0	(31.5)
SB 19-222	220,707	0	0	0	220,707	1.0
SB 19-223	8,141,194	8,141,194	0	0	0	19.0
SB 19-228	1,192,367	0	1,192,367	0	0	2.1
SB 19-235	136,240	61,301	9,973	0	64,966	0.0
SB 19-258	19,400,000	0	0	9,700,000	9,700,000	0.0
HB 19-1009	50,000	50,000	0	0	0	0.0
HB 19-1069	19,440	0	0	19,440	0	0.0
HB 19-1142	14,093	14,093	0	0	0	0.3
HB 19-1147	900,000	450,000	0	450,000	0	0.0
HB 19-1193	500,000	500,000	0	0	0	0.6
HB 19-1215	143,650	0	143,650	0	0	0.0
HB 19-1223	1,450,000	0	1,450,000	0	0	0.8
HB 19-1262	25,094	25,094	0	0	0	0.3
HB 19-1287	5,589,344	0	5,589,344	0	0	2.5
HB 20-1197	500,000	500,000	0	0	0	0.0
HB 20-1248	4,762,115	(2,259,880)	5,980,464	(2,373,080)	3,414,611	11.8
HB 20-1360	(4,662,948)	(27,069,899)	0	(650,000)	23,056,951	(8.5)
HB 20-1411	13,080,000	13,080,000	0	0	0	0.0
HB 20-1422	500,000	500,000	0	0	0	0.0

DEPARTMENT OF HUMAN SERVICES						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$2,278,676,218</b>	<b>\$960,429,029</b>	<b>\$420,236,935</b>	<b>\$208,978,816</b>	<b>\$689,031,438</b>	<b>5,178.6</b>
<b>BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION</b>						
Executive Director's Office	136,156,876	62,540,058	2,895,108	36,614,278	34,107,432	169.3
Office of Information Technology Services	81,043,120	34,478,954	903,809	29,902,711	15,757,646	11.0
Office of Operations	47,989,110	26,389,907	1,428,371	20,170,832	0	424.9
County Administration	87,628,655	29,395,164	22,428,979	0	35,804,512	0.0
Division of Child Welfare	534,984,421	286,305,696	96,509,189	13,601,734	138,567,802	98.7
Office of Early Childhood	278,154,393	89,586,425	51,372,000	7,968,022	129,227,946	97.7
Office of Self Sufficiency	300,391,310	14,277,923	30,768,891	5,525,466	249,819,030	256.7
Office of Behavioral Health	360,928,252	244,503,482	48,341,550	25,722,102	42,361,118	1,470.8
Services for People with Disabilities	135,946,981	1,460,121	47,303,952	65,743,939	21,438,969	1,414.6
Adult Assistance Programs	184,168,684	47,625,388	114,920,459	1,001,800	20,621,037	33.3
Division of Youth Services	131,284,416	123,865,911	3,364,627	2,727,932	1,325,946	1,201.6
<b>BREAKDOWN OF TOTAL APPROPRIATION BY BILL</b>						
HB 20-1360	\$2,286,142,552	\$974,723,623	\$420,761,170	\$210,141,860	\$680,515,899	5,187.6
SB 20-028	74,620	74,620	0	0	0	0.0
SB 20-029	8,424,500	0	0	0	8,424,500	0.0
SB 20-162	637,691	(389,760)	0	936,412	91,039	1.7
HB 20-1153	96,132	0	96,132	0	0	0.0
HB 20-1379	(7,450,138)	(5,576,328)	(74,354)	(1,799,456)	0	0.0
HB 20-1384	(495,380)	(195,380)	0	(300,000)	0	(2.5)
HB 20-1388	(4,254,999)	(4,254,999)	0	0	0	(0.7)
HB 20-1390	(610,854)	(610,854)	0	0	0	(4.0)
HB 20-1391	(546,013)	0	(546,013)	0	0	(2.5)
HB 20-1392	(238,497)	(238,497)	0	0	0	(1.0)
HB 20-1398	(3,103,396)	(3,103,396)	0	0	0	0.0
<b>INCREASE/(DECREASE)</b>	<b>(\$80,064,930)</b>	<b>(\$67,621,126)</b>	<b>(\$25,750,612)</b>	<b>(\$2,230,214)</b>	<b>\$15,537,022</b>	<b>44.4</b>
Percentage Change	(3.4%)	(6.6%)	(5.8%)	(1.1%)	2.3%	0.9%

<sup>1</sup> Includes appropriations from the CARE subfund of the General Fund for FY 2019-20 and FY 2020-21.

**CARE SUBFUND IN THE GENERAL FUND:** Amounts in the General Fund column include appropriations from both the General Fund and the CARE subfund in the General Fund. Federal H.R. 748, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, created the \$150.0 billion Coronavirus Relief Fund, which was allocated to states, tribal governments, territories, and local governments to address costs directly related to the novel coronavirus, COVID-19. Colorado's state government received a total allocation of \$1,673,849,579 from the Coronavirus Relief Fund, and of this amount, \$70,000,000 was transferred to the General Fund through Executive Order D 2020 070 and placed in the CARE subfund for appropriation by the General Assembly. The table below shows the amount appropriated from the CARE subfund for FY 2019-20 and FY 2020-21 for human services through legislation enacted in the 2020 legislative session.

Federal law requires that this funding is to be used to cover those expenditures that:

- 1 are necessary expenditures incurred due to the public health emergency with respect to COVID-19;
- 2 were not accounted for in the budget most recently approved as of the date of enactment of this section for the State or government; and
- 3 were incurred during the period that begins March 1, 2020, and ends on December 30, 2020.

For additional information on General Fund Exempt and CARE subfund appropriations, see Appendix D.

GENERAL FUND SUMMARY	TOTAL GENERAL FUND	GENERAL FUND	CARE SUBFUND IN THE GENERAL FUND
FY 2019-20	\$1,028,050,155	\$1,013,970,029	\$14,080,000
FY 2020-21	\$960,429,029	\$959,929,029	\$500,000



**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of Human Services are annotated with the "(I)". For additional information, see Appendix K.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$617,480,317	\$0	\$287,097,554	\$2,084,393	\$328,298,370

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### EXECUTIVE DIRECTOR'S OFFICE

This office is responsible for the management and administration of the Department, performing such functions as budgeting, human resources, and quality control, as well as program supervision, coordination, and evaluation. This section includes centrally appropriated line items, such as workers' compensation, legal services, administrative law judge services, and payments related to risk management. In addition, this office contains funding for specific functions including:

- The Juvenile Parole Board;
- The Developmental Disabilities Council;
- The Colorado Commission for the Deaf and Hard of Hearing;
- Compliance with the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA); and
- The Administrative Review Unit, which performs case reviews of children and youth who are placed in out-of-home residential care and conducts formal reviews of county adult protective services cases.

Cash funds include patient payments collected by the mental health institutes and other sources. Reappropriated funds are primarily Medicaid funds transferred from the Department of Health Care Policy and Financing and departmental indirect cost recoveries. Federal fund sources include the Temporary Assistance for Needy Families Block Grant, the Supplemental Nutrition Assistance Program Block Grant, the Child Care Development Funds Block Grant, the Substance Abuse Prevention and Treatment Block Grant, Title IV-E of the Social Security Act funds, Developmental Disabilities Assistance Act funds, and other sources.

EXECUTIVE DIRECTOR'S OFFICE						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 APPROPRIATION:</b>						
SB 19-207	\$138,334,163	\$89,822,145	\$2,560,000	\$36,247,161	\$9,704,857	159.8
SB 19-210	(371,713)	(371,713)	0	0	0	0.0
SB 19-223	437,868	437,868	0	0	0	0.0
HB 19-1069	19,440	0	0	19,440	0	0.0
HB 20-1197	500,000	500,000	0	0	0	0.0
HB 20-1248	749,054	(1,101,205)	350,259	0	1,500,000	3.3
HB 20-1360	19,806,569	(167,625)	0	0	19,974,194	0.0
<b>TOTAL</b>	<b>\$159,475,381</b>	<b>\$89,119,470</b>	<b>\$2,910,259</b>	<b>\$36,266,601</b>	<b>\$31,179,051</b>	<b>163.1</b>
<b>FY 2020-21 APPROPRIATION:</b>						
FY 2019-20 Appropriation	\$159,475,381	\$89,119,470	\$2,910,259	\$36,266,601	\$31,179,051	163.1
COVID-19 expenditures	26,125,246	0	0	0	26,125,246	0.0
Rural Interpreting Services Program	700,000	0	0	700,000	0	5.0
Mental health institutes	695,281	695,281	0	0	0	0.0
Records and Reports Fund	352,448	0	352,448	0	0	1.0
Human resource staffing	326,616	0	0	326,616	0	7.7
Indirect cost assessment	5,236	0	4,281	831	124	0.0

EXECUTIVE DIRECTOR'S OFFICE						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize prior year budget actions	(29,207,684)	(5,762,496)	(261,981)	(2,185,975)	(20,997,232)	(8.0)
Centrally appropriated line item	(13,521,895)	(15,017,125)	(149,723)	2,347,006	(702,053)	0.0
Annualize prior year legislation	(1,042,337)	408,106	18,046	29,215	(1,497,704)	1.2
Budget balancing adjustments	(396,186)	(396,186)	0	0	0	(1.0)
Provider rates	(6,972)	0	0	(6,972)	0	0.0
<b>HB 20-1360</b>	<b>\$143,505,134</b>	<b>\$69,047,050</b>	<b>\$2,873,330</b>	<b>\$37,477,322</b>	<b>\$34,107,432</b>	<b>169.0</b>
SB 20-028	74,620	74,620	0	0	0	0.0
SB 20-162	169,625	(766,787)	0	936,412	0	1.3
HB 20-1153	96,132	0	96,132	0	0	0.0
HB 20-1379	(7,450,138)	(5,576,328)	(74,354)	(1,799,456)	0	0.0
HB 20-1392	(238,497)	(238,497)	0	0	0	(1.0)
<b>TOTAL</b>	<b>\$136,156,876</b>	<b>\$62,540,058</b>	<b>\$2,895,108</b>	<b>\$36,614,278</b>	<b>\$34,107,432</b>	<b>169.3</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$23,318,505)</b>	<b>(\$26,579,412)</b>	<b>(\$15,151)</b>	<b>\$347,677</b>	<b>\$2,928,381</b>	<b>6.2</b>
Percentage Change	(14.6%)	(29.8%)	(0.5%)	1.0%	9.4%	3.8%

<sup>1</sup> Includes appropriations from the CARE subfund of the General Fund for FY 2019-20 and FY 2020-21.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1197 modifies FY 2019-20 appropriations to provide \$500,000 from the CARES subfund in the General Fund for the 2-1-1 Statewide Human Services Referral System.

House Bill 20-1248 modifies FY 2019-20 appropriations to provide a net increase of \$749,054 total funds, including a reduction of \$1,101,205 General Fund, and an increase of 3.3 FTE. Adjustments include:

- An increase of \$487,558 total funds, including \$137,299 General Fund, and an increase of 3.3 FTE to correct annualization errors and to implement the Adult Protective Services employee and child abuse prevention background checks program;
- An increase of \$152,967 General Fund to account for the depreciation costs of non-information technology capital projects pursuant to S.B. 15-211 (Automatic Funding for Capital Assets);
- An increase of \$108,529 General Fund for PERA direct distribution; and
- A net zero adjustment, including a decrease of \$1,500,000 General Fund and a corresponding increase in federal funds spending authority, due to increased utilization of federal Supplemental Nutrition for Needy Families and Child Support fund sources.

House Bill 20-1360 modifies FY 2019-20 appropriations to provide a net increase of \$19,806,569 total funds, including a reduction of \$167,625 General Fund. Adjustments include:

- An increase of \$19,974,194 informational federal funds from the Coronavirus Relief Fund to cover the Department's anticipated expenditures that result from the COVID-19 disaster emergency; and
- A reduction of \$167,625 General Fund for budget balancing actions.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**COVID-19 EXPENDITURES:** The appropriation includes \$26,125,246 federal Coronavirus Relief Funds, to reflect for informational purposes departmental expenditures resulting from the COVID-19 disaster emergency.

**RURAL INTERPRETING SERVICES PROGRAM:** The appropriation includes \$700,000 reappropriated funds from the Department of Regulatory Agencies and 5.0 FTE to continue the English/American Sign Language interpreting services program in rural parts of the State.

**MENTAL HEALTH INSTITUTES:** The appropriation includes a net increase of \$695,281 General Fund for compensation related centrally appropriated costs associated with staffing the new L2 High Security Forensic Unit at the Colorado Mental Health Institute at Pueblo.

**RECORDS AND REPORTS FUND:** The appropriation includes \$352,448 cash funds and 1.0 FTE to support background checks for individuals and entities that work with children or at-risk adults, as well as funding to support the appeals process of the Child and Adult Mistreatment Dispute Review Section.

**HUMAN RESOURCE STAFFING:** The appropriation includes an increase of \$326,616 reappropriated funds and 7.7 FTE to increase the number of human resources professionals in the Department.

**INDIRECT COST ASSESSMENT:** The appropriation includes adjustments for the assessment of indirect costs associated with the operations of the Department.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 R1 Mental Health Institute at Pueblo	\$179,051	\$179,051	\$0	\$0	\$0	0.0
FY 19-20 Budget balancing adjustment	167,625	167,625	0	0	0	0.0
FY 19-20 R7 Employment affairs staffing	12,687	0	0	12,687	0	0.0
FY 19-20 COVID-19 expenditures	(19,974,194)	0	0	0	(19,974,194)	0.0
FY 19-20 Salary survey	(8,892,853)	(6,109,172)	(261,981)	(1,498,662)	(1,023,038)	0.0
FY 18-19 Translation services for the deaf and hard of hearing	(700,000)	0	0	(700,000)	0	(8.0)
<b>TOTAL</b>	<b>(\$29,207,684)</b>	<b>(\$5,762,496)</b>	<b>(\$261,981)</b>	<b>(\$2,185,975)</b>	<b>(\$20,997,232)</b>	<b>(8.0)</b>

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to the following centrally appropriated line items: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; PERA direct distributions; shift differential; workers' compensation; legal services; administrative law judges; payment to risk management and property funds; vehicle lease payments; Capitol complex leased space; payments to the Governor's Office of Information Technology (OIT); and CORE operations. The appropriation includes a \$10,956,710 Health, Life, and Dental (HLD) reduction in lieu of a General Fund, personal services base reduction. The HLD adjustment is a budget balancing action.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$103,945	\$49,565	\$3,429	\$48,655	\$2,296	0.0
HB 17-1284 Data system check for employees service at-risk adults	99,039	(125,304)	224,343	0	0	2.5
HB 20-1248 Supplemental bill	(608,521)	1,101,205	(209,726)	0	(1,500,000)	(1.3)
HB 20-1197 2-1-1 statewide human services referral system	(500,000)	(500,000)	0	0	0	0.0
SB 19-223 Actions related to competency to proceed	(67,360)	(67,360)	0	0	0	0.0
HB 18-1108 Colorado Commission for the Deaf and Hard of Hearing	(50,000)	(50,000)	0	0	0	0.0
HB 19-1069 Sign Language Interpreters Title Certification	(19,440)	0	0	(19,440)	0	0.0
<b>TOTAL</b>	<b>(\$1,042,337)</b>	<b>\$408,106</b>	<b>\$18,046</b>	<b>\$29,215</b>	<b>(\$1,497,704)</b>	<b>1.2</b>

**BUDGET BALANCING ADJUSTMENTS:** The appropriation includes a reduction of \$396,186 General Fund and 1.0 FTE in various Department line items in which it was determined that costs associated with the COVID-19 disaster emergency should be covered by Coronavirus Relief Funds as opposed to General Fund. The actions were taken for budget balancing purposes.

**PROVIDER RATES:** The appropriation includes for budget balancing purposes a decrease of \$6,972 reappropriated funds for a 1.0 percent across-the-board reduction for community providers.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see the *Appendix A, Recent Legislation*.

## OFFICE OF INFORMATION TECHNOLOGY SERVICES

This section contains appropriations for developing and maintaining the major centralized computer systems of the Department, including systems that link to all 64 counties in the state.

OFFICE OF INFORMATION TECHNOLOGY SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$77,103,685	\$32,489,347	\$884,907	\$27,102,407	\$16,627,024	11.0
SB 19-178	60,204	42,143	0	0	18,061	0.0
SB 19-223	454,539	454,539	0	0	0	0.0
SB 19-235	136,240	61,301	9,973	0	64,966	0.0
HB 19-1287	260,206	0	260,206	0	0	0.0
HB 20-1248	744,199	483,729	0	0	260,470	0.0
HB 20-1360	(650,000)	0	0	(650,000)	0	0.0
<b>TOTAL</b>	<b>\$78,109,073</b>	<b>\$33,531,059</b>	<b>\$1,155,086</b>	<b>\$26,452,407</b>	<b>\$16,970,521</b>	<b>11.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$78,109,073	\$33,531,059	\$1,155,086	\$26,452,407	\$16,970,521	11.0
Joint agency interoperability	4,168,851	1,566,016	0	3,793,859	(1,191,024)	0.0
Child welfare programs	515,488	335,067	0	0	180,421	0.0
Annualize prior year budget actions	128,469	39,499	45,419	5,174	38,377	0.0
Centrally appropriated line item	(1,539,102)	(540,373)	0	(998,729)	0	0.0
Annualize prior year legislation	(539,298)	(609,777)	(254,085)	650,000	(325,436)	0.0
<b>HB 20-1360</b>	<b>\$80,843,481</b>	<b>\$34,321,491</b>	<b>\$946,420</b>	<b>\$29,902,711</b>	<b>\$15,672,859</b>	<b>11.0</b>
SB 20-162	242,250	157,463	0	0	84,787	0.0
HB 20-1391	(42,611)	0	(42,611)	0	0	0.0
<b>TOTAL</b>	<b>\$81,043,120</b>	<b>\$34,478,954</b>	<b>\$903,809</b>	<b>\$29,902,711</b>	<b>\$15,757,646</b>	<b>11.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$2,934,047</b>	<b>\$947,895</b>	<b>(\$251,277)</b>	<b>\$3,450,304</b>	<b>(\$1,212,875)</b>	<b>0.0</b>
Percentage Change	3.8%	2.8%	(21.8%)	13.0%	(7.1%)	0.0%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1248 modifies FY 2019-20 appropriations to provide a net increase of \$744,199 total funds, including \$483,729 General Fund for ongoing operating and maintenance of the child welfare data management system, Colorado Trails.

House Bill 20-1360 modifies FY 2019-20 appropriations to provide a reduction of \$650,000 Medicaid reappropriated funds transferred from the Department of Health Care Policy and Financing for the implementation of the regional center electronic health record.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**JOINT AGENCY INTEROPERABILITY:** The appropriation includes \$4,168,851 total funds, including \$1,566,016 General Fund, for funding operations and maintenance of the Joint Agency Interoperability Project. The Joint Agency Interoperability Project enables systems or applications to exchange information to allow the Department, county employees, and external partners to better coordinate services provided to children, youth, and families in Colorado.

**CHILD WELFARE PROGRAMS:** The appropriation includes an increase of \$515,488 total funds, including \$335,067 General Fund, for modernization and modifications to the Colorado Trails child welfare reporting system.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 NP4 Local administration transformation	\$84,743	\$13,924	\$40,756	\$0	\$30,063	0.0
FY 19-20 salary survey	18,599	18,599	0	0	0	0.0
CBMS staff development center total compensation	17,511	7,849	1,312	0	8,350	0.0
FY 19-20 R21 Salesforce Shield	5,854	680	0	5,174	0	0.0
FY 19-20 NP1 OIT CMBS/PEAK	1,762	(1,553)	3,351	0	(36)	0.0
<b>TOTAL</b>	<b>\$128,469</b>	<b>\$39,499</b>	<b>\$45,419</b>	<b>\$5,174</b>	<b>\$38,377</b>	<b>0.0</b>

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments for centrally appropriated line items, as detailed in the following table.

CENTRALLY APPROPRIATED LINE ITEM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
OIT Colorado Digital Services	\$303,329	\$117,501	\$0	\$185,828	\$0	0.0
CORE	287,983	158,269	0	129,714	0	0.0
Payments to OIT	(2,046,066)	(784,091)	0	(1,261,975)	0	0.0
OIT Budget request package	(84,348)	(32,052)	0	(52,296)	0	0.0
<b>TOTAL</b>	<b>(\$1,539,102)</b>	<b>(\$540,373)</b>	<b>\$0</b>	<b>(\$998,729)</b>	<b>\$0</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 20-1360 Long Bill	\$650,000	\$0	\$0	\$650,000	\$0	0.0
SB 18-200 PERA	3,736	3,736	0	0	0	0.0
HB 20-1248 Supplemental bill	(744,199)	(483,729)	0	0	(260,470)	0.0
HB 19-1287 Treatment for substance use disorders	(217,595)	0	(217,595)	0	0	0.0
SB 19-235 Automatic Voter Registration	(136,240)	(61,301)	(9,973)	0	(64,966)	0.0
HB 17-1284 Data system check for employees service at-risk adults	(95,000)	(68,483)	(26,517)	0	0	0.0
<b>TOTAL</b>	<b>(\$539,298)</b>	<b>(\$609,777)</b>	<b>(\$254,085)</b>	<b>\$650,000</b>	<b>(\$325,436)</b>	<b>0.0</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see the *Appendix A, Recent Legislation*.

## OFFICE OF OPERATIONS

This section of the budget contains appropriations for various central departmental functions and incorporates four department units: Facilities Management, Accounting, Procurement, and Contract Management. The largest of these units, the Division of Facilities Management, is responsible for managing leased space, vehicle leases, and utility costs, and for operating, cleaning, and maintaining an estimated 301 department buildings and facilities, including ten youth correctional facilities, two state mental health institute campuses, and three regional centers for people with developmental disabilities, in addition to department office buildings. The Division of Accounting manages all financial operations and resources, including payments to counties and service providers, overall accounts and controls over expenditures and revenues from multiple state and federal sources, and private party billing for the Department's various community and institutional programs. The Procurement Division purchases goods and services for the Department's programs and operates warehouses and distribution centers for all departmental residential facilities. The Contract Management Unit is responsible for managing the contracting process in the Department including development, approval, and performance oversight of all Department contracts. Funding for the Office is primarily from General Fund and reappropriated funds from indirect cost assessments initially appropriated in each division.

OFFICE OF OPERATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$51,093,876	\$30,557,238	\$1,402,202	\$19,134,436	\$0	423.8
SB 19-223	72,500	72,500	0	0	0	0.0
HB 20-1360	(2,186,303)	(2,186,303)	0	0	0	0.0
<b>TOTAL</b>	<b>\$48,980,073</b>	<b>\$28,443,435</b>	<b>\$1,402,202</b>	<b>\$19,134,436</b>	<b>\$0</b>	<b>423.8</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$48,980,073	\$28,443,435	\$1,402,202	\$19,134,436	\$0	423.8
Annual depreciation	3,103,396	3,103,396	0	0	0	0.0
Annualize prior year budget actions	3,006,216	2,969,683	18,460	18,073	0	0.0
Indirect cost assessment	981,722	0	3,946	977,776	0	0.0
Annualize prior year legislation	158,444	149,596	4,326	4,522	0	0.0
Mental health institutes	87,190	87,190	0	0	0	1.1
Human resource staffing	1,767	0	1,577	190	0	0.0
Budget balancing adjustments	(4,912,414)	(4,912,414)	0	0	0	0.0
Centrally appropriated line item	(313,888)	(347,583)	(2,140)	35,835	0	0.0
<b>HB 20-1360</b>	<b>\$51,092,506</b>	<b>\$29,493,303</b>	<b>\$1,428,371</b>	<b>\$20,170,832</b>	<b>\$0</b>	<b>424.9</b>
HB 20-1398	(3,103,396)	(3,103,396)	0	0	0	0.0
<b>TOTAL</b>	<b>\$47,989,110</b>	<b>\$26,389,907</b>	<b>\$1,428,371</b>	<b>\$20,170,832</b>	<b>\$0</b>	<b>424.9</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$990,963)</b>	<b>(\$2,053,528)</b>	<b>\$26,169</b>	<b>\$1,036,396</b>	<b>\$0</b>	<b>1.1</b>
Percentage Change	(2.0%)	(7.2%)	1.9%	5.4%	n/a	0.3%

### FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1360 modifies FY 2019-20 appropriations to provide a reduction of \$2,186,303 General Fund for budget balancing purposes.

### FY 2020-21 APPROPRIATION HIGHLIGHTS

**ANNUAL DEPRECIATION:** The appropriation includes \$3,103,396 General Fund to account for the cost of depreciation of capital projects pursuant to S.B. 15-211 (Automatic Funding for Capital Assets).

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Budget balancing adjustment	\$2,186,303	\$2,186,303	\$0	\$0	0.0	0.0
Annualize prior year salary survey	797,480	760,970	18,439	18,071	0.0	0.0
FY 19-20 Mental Health Institute at Pueblo	22,410	22,410	0	0	0.0	0.0
FY 19-20 Salesforce Shield	23	0	21	2	0.0	0.0
<b>TOTAL</b>	<b>\$3,006,216</b>	<b>\$2,969,683</b>	<b>\$18,460</b>	<b>\$18,073</b>	<b>0.0</b>	<b>0.0</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to S.B. 18-200 (PERA).

**MENTAL HEALTH INSTITUTES:** The appropriation includes an increase of \$87,190 General Fund, including 1.1 FTE, to operate and staff the new L2 High Security Forensic Unit at the Colorado Mental Health Institute at Pueblo (CMHIP).

**HUMAN RESOURCE STAFFING:** The appropriation includes an increase of \$1,767 total funds to increase the number of human resources professionals in the Department.

**BUDGET BALANCING ADJUSTMENTS:** The appropriation includes a reduction of \$4,912,414 General Fund in various Department line items for budget balancing purposes.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes the following adjustments to centrally appropriated line items:

CENTRALLY APPROPRIATED LINE ITEM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Capitol Complex leased space	\$114,110	\$29,231	\$202	\$84,677	\$0	0.0
Legal services adjustment	2,166	0	1,933	233	0	0.0
OIT Budget request package	785	0	700	85	0	0.0
CORE	587	0	524	63	0	0.0
Leased space reduction	(250,000)	(250,000)	0	0	0	0.0
DPA Annual fleet vehicle request	(127,184)	(126,814)	(330)	(40)	0	0.0
R23 Leased space adjustment	(48,558)	0	0	(48,558)	0	0.0
Payments to OIT	(3,191)	0	(2,847)	(344)	0	0.0
Workers' compensation adjustment	(1,514)	0	(1,351)	(163)	0	0.0
Payment to risk management / property funds adjustment	(739)	0	(659)	(80)	0	0.0
ALJ adjustment	(350)	0	(312)	(38)	0	0.0
<b>TOTAL</b>	<b>(\$313,888)</b>	<b>(\$347,583)</b>	<b>(\$2,140)</b>	<b>\$35,835</b>	<b>\$0</b>	<b>0.0</b>

## COUNTY ADMINISTRATION

This section contains appropriations for 64 county departments of social or human services to administer the Supplemental Nutrition Assistance Program (food assistance) and Aid to the Needy Disabled. It also includes appropriations to assist counties with high human services program costs relative to their county property tax bases. Cash funds sources in this section include retained child support collections, fraud refunds, and state revenue intercepts. Federal funds are from the U.S. Department of Agriculture's Supplemental Nutrition Assistance Program and various other sources.

COUNTY ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$87,628,655	\$29,395,164	\$22,428,979	\$0	\$35,804,512	0.0
<b>TOTAL</b>	<b>\$87,628,655</b>	<b>\$29,395,164</b>	<b>\$22,428,979</b>	<b>\$0</b>	<b>\$35,804,512</b>	<b>0.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$87,628,655	\$29,395,164	\$22,428,979	\$0	\$35,804,512	0.0
No changes	0	0	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$87,628,655</b>	<b>\$29,395,164</b>	<b>\$22,428,979</b>	<b>\$0</b>	<b>\$35,804,512</b>	<b>0.0</b>
<b>TOTAL</b>	<b>\$87,628,655</b>	<b>\$29,395,164</b>	<b>\$22,428,979</b>	<b>\$0</b>	<b>\$35,804,512</b>	<b>0.0</b>
INCREASE/(DECREASE)						
Percentage Change	0.0%	0.0%	0.0%	n/a	0.0%	n/a

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**NO CHANGES:** The appropriation does not contain changes from the FY 2019-20 appropriation.

## DIVISION OF CHILD WELFARE

This section provides funding for programs that protect children from harm and assist families in caring for and protecting their children. Nearly 79.0 percent of funding in this division is allocated to counties, which are responsible for administering child welfare services under the supervision of the Department. Reappropriated funds reflect Medicaid funds and are transferred from the Department of Health Care Policy and Financing. Cash funds include county tax revenues, docket fee revenues, Tobacco Master Settlement funds, and Marijuana Tax Cash Funds. Federal fund sources include those available pursuant to Titles IV-B and IV-E of the Social Security Act, the Title XX Social Services Block Grant, and the Child Abuse Prevention and Treatment Act.

DIVISION OF CHILD WELFARE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$539,210,715	\$299,936,263	\$97,283,577	\$14,102,932	\$127,887,943	98.8
SB 19-258	19,400,000	0	0	9,700,000	9,700,000	0.0
HB 19-1142	14,093	14,093	0	0	0	0.3
HB 20-1248	3,855,854	633,510	3,166,693	0	55,651	5.6
HB 20-1360	(689,161)	(2,271,918)	0	0	1,582,757	(5.6)
<b>TOTAL</b>	<b>\$561,791,501</b>	<b>\$298,311,948</b>	<b>\$100,450,270</b>	<b>\$23,802,932</b>	<b>\$139,226,351</b>	<b>99.1</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$561,791,501	\$298,311,948	\$100,450,270	\$23,802,932	\$139,226,351	99.1
Indirect cost assessment	178,596	0	1,433	861	176,302	0.0
Child welfare programs	100,182	(10,709,792)	1,004,726	(1,900,000)	11,705,248	(1.0)
Annualize prior year legislation	(22,522,166)	1,679,000	(3,165,524)	(9,699,678)	(11,335,964)	0.0



DIVISION OF CHILD WELFARE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Provider rates	(2,787,437)	(2,804,464)	(789,869)	1,896,341	(1,089,445)	0.0
Tony Gramscas Youth Services Program	(1,127,047)	0	(627,047)	(500,000)	0	0.0
Annualize prior year budget actions	(875,024)	(390,560)	(364,800)	1,278	(120,942)	0.2
<b>HB 20-1360</b>	<b>\$534,758,605</b>	<b>\$286,086,132</b>	<b>\$96,509,189</b>	<b>\$13,601,734</b>	<b>\$138,561,550</b>	<b>98.3</b>
SB 20-162	225,816	219,564	0	0	6,252	0.4
<b>TOTAL</b>	<b>\$534,984,421</b>	<b>\$286,305,696</b>	<b>\$96,509,189</b>	<b>\$13,601,734</b>	<b>\$138,567,802</b>	<b>98.7</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$26,807,080)</b>	<b>(\$12,006,252)</b>	<b>(\$3,941,081)</b>	<b>(\$10,201,198)</b>	<b>(\$658,549)</b>	<b>(0.4)</b>
Percentage Change	(4.8%)	(4.0%)	(3.9%)	(42.9%)	(0.5%)	(0.4%)

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1248 modifies FY 2019-20 appropriations to provide an increase of \$3,855,854 total funds, including \$633,510 General Fund, and 5.6 FTE. Adjustments include:

- An increase of \$2,370,740 cash fund spending authority from the Title IV-E Administrative Cost Cash Fund to implement the provisions of S.B. 19-258 (Child Welfare Prevention and Intervention Funding).
- An increase of \$689,161 total funds, including \$633,510 General Fund, and 5.6 FTE to implement the federal Family First Prevention Services Act of 2018 (Family First) and for ongoing operating and maintenance of the child welfare data management system, Colorado Trails.
- An increase of \$595,953 cash fund spending authority from the Child Welfare Prevention and Intervention Services Cash Fund to implement the provisions of S.B. 18-254 (Child Welfare Reforms).
- An increase of \$200,000 cash fund spending authority from the Youth Services Program Fund to provide training and technical assistance to Tony Gramscas Youth Services Program grantees in order to improve program and level of evidence evaluation.

House Bill 20-1360 modifies FY 2019-20 appropriations to provide a net reduction of \$689,161 total funds, including a reduction of \$2,271,918 General Fund, and a reduction of 5.6. Adjustments include:

- A reduction of \$1,638,408 General Fund with a corresponding increase in federal TANF block grant funds for Child Welfare Services; and
- A reduction of \$689,161 total funds, including \$633,510 General Fund, and 5.6 FTE associated with the Department's decision to delay the implementation of the federal Family First Prevention Services Act of 2018.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**INDIRECT COST ASSESSMENT:** The appropriation includes adjustments for the assessment of indirect costs associated with the operations of the Department.

**CHILD WELFARE PROGRAMS:** The appropriation includes a net increase of \$100,182 total funds, including a reduction of \$10,709,792 General Fund, and a decrease of 1.0 FTE for child welfare programs.

CHILD WELFARE PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Child welfare legal representation	\$6,009,940	\$0	\$6,009,940	\$0	\$0	0.0
Prevention and Intervention Services Cash Fund	598,953	0	598,953	0	0	0.0
Medicaid eligibility	79,166	950,000	395,833	(1,900,000)	633,333	0.0
(M) Note changes	0	0	0	0	0	0.0
Child Welfare Services refinance	0	(11,338,408)	0	0	11,338,408	0.0

CHILD WELFARE PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Title IV-E waiver and evaluation development adjustment	(6,482,762)	(250,009)	(6,000,000)	0	(232,753)	0.0
Foster and adoptive parent support	(105,115)	(71,375)	0	0	(33,740)	(1.0)
<b>TOTAL</b>	<b>\$100,182</b>	<b>(\$10,709,792)</b>	<b>\$1,004,726</b>	<b>(\$1,900,000)</b>	<b>\$11,705,248</b>	<b>(1.0)</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 20-1360 Long Bill supplemental	\$689,161	\$2,271,918	\$0	\$0	(\$1,582,757)	5.6
SB 18-200 PERA	44,527	40,592	1,169	322	2,444	0.0
SB 19-258 Prevention services funding	(19,400,000)	0	0	(9,700,000)	(9,700,000)	0.0
HB 20-1248 Supplemental bill	(3,855,854)	(633,510)	(3,166,693)	0	(55,651)	(5.6)
<b>TOTAL</b>	<b>(\$22,522,166)</b>	<b>\$1,679,000</b>	<b>(\$3,165,524)</b>	<b>(\$9,699,678)</b>	<b>(\$11,335,964)</b>	<b>0.0</b>

**PROVIDER RATES:** The appropriation includes adjustments in several line items for provider rate adjustments, including:

- A decrease of \$4,683,778 total funds, including \$2,804,464 General Fund, for a 1.0 percent across-the-board reduction for community providers for budget balancing purposes; and
- An increase of \$1,896,341 Medicaid reappropriated funds for a targeted rate increase for providers serving dually-diagnosed children with intellectual and developmental disabilities and severe behavioral health needs.

**TONY GRAMPAS YOUTH SERVICES PROGRAM:** The appropriation includes a total decrease of \$1,127,047 total funds for the Tony Grampas Youth Services Program.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 Salary survey	\$245,730	\$200,399	\$20,832	\$1,278	\$23,221	0.0
FY 2019-20 24 hour child welfare monitoring	33,407	27,728	0	0	5,679	0.2
FY 2019-20 Hotline for child abuse and neglect	23,998	23,998	0	0	0	0.0
FY 2019-20 Division of Youth Services	0	0	0	0	0	0.0
FY 19-20 County child welfare staff	(500,000)	(367,500)	(50,000)	0	(82,500)	0.0
Leap year	(428,159)	(275,185)	(85,632)	0	(67,342)	0.0
Tony Grampas Youth Services Program	(250,000)	0	(250,000)	0	0	0.0
<b>TOTAL</b>	<b>(\$875,024)</b>	<b>(\$390,560)</b>	<b>(\$364,800)</b>	<b>\$1,278</b>	<b>(\$120,942)</b>	<b>0.2</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see the *Appendix A, Recent Legislation*.

## OFFICE OF EARLY CHILDHOOD

The Office of Early Childhood includes the Division of Early Care and Learning and the Division of Community and Family Support. The Division of Early Care and Learning includes funding associated with the state supervision and county administration of the Colorado Child Care Assistance Program (CCCAP). Through CCCAP, counties provide childcare subsidies to low income families and families transitioning from the Colorado Works Program. In addition, this division is responsible for licensing and monitoring child care facilities and administering programs that are

designed to improve the quality and availability of child care in the State. The Division of Community and Family Support includes funding for various early childhood family support programs such as Early Intervention Services, Early Childhood Mental Health Specialists, and the Nurse Home Visitor Program.

OFFICE OF EARLY CHILDHOOD						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$270,325,373	\$91,609,849	\$48,954,962	\$7,968,022	\$121,792,540	89.9
SB 19-063	50,688	0	0	0	50,688	0.0
HB 19-1193	500,000	500,000	0	0	0	0.6
HB 19-1262	25,094	25,094	0	0	0	0.3
HB 20-1248	1,503,074	1,503,074	0	0	0	0.0
HB 20-1360	(188,494)	(188,494)	0	0	0	0.0
<b>TOTAL</b>	<b>\$272,215,735</b>	<b>\$93,449,523</b>	<b>\$48,954,962</b>	<b>\$7,968,022</b>	<b>\$121,843,228</b>	<b>90.8</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$272,215,735	\$93,449,523	\$48,954,962	\$7,968,022	\$121,843,228	90.8
Child care and early development	8,297,656	(1,341,886)	1,803,437	0	7,836,105	7.2
Early childhood intervention and prevention services	631,119	(47,945)	679,064	0	0	0.0
Annualize prior year budget actions	538,189	264,798	50,211	0	223,180	0.0
Indirect cost assessment	77,260	0	2,656	0	74,604	0.0
Human resource staffing	24,419	0	1,240	0	23,179	0.0
Joint agency interoperability	0	0	0	0	0	0.0
Provider rates	(1,654,980)	(761,200)	(121,147)	0	(772,633)	0.0
Annualize prior year legislation	(1,450,586)	(1,476,865)	2,817	0	23,462	0.3
<b>HB 20-1360</b>	<b>\$278,654,393</b>	<b>\$90,086,425</b>	<b>\$51,372,000</b>	<b>\$7,968,022</b>	<b>\$129,227,946</b>	<b>98.3</b>
HB 20-1388	(500,000)	(500,000)	0	0	0	(0.6)
<b>TOTAL</b>	<b>\$278,154,393</b>	<b>\$89,586,425</b>	<b>\$51,372,000</b>	<b>\$7,968,022</b>	<b>\$129,227,946</b>	<b>97.7</b>
<b>INCREASE/(DECREASE)</b>	<b>\$5,938,658</b>	<b>(\$3,863,098)</b>	<b>\$2,417,038</b>	<b>\$0</b>	<b>\$7,384,718</b>	<b>6.9</b>
Percentage Change	2.2%	(4.1%)	4.9%	0.0%	6.1%	7.6%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1248 modifies FY 2019-20 appropriations to provide an increase of \$1,503,074 General Fund to accommodate a higher than anticipated growth in the average monthly enrollment in early intervention services.

House Bill 20-1360 modifies FY 2019-20 appropriations to provide a reduction of \$188,494 General Fund for budget balancing.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**CHILD CARE AND EARLY DEVELOPMENT:** The appropriation includes a net increase \$8,297,656 total funds, including a reduction of \$1,341,886 General Fund, and an increase of 7.2 FTE to support access to and licensing of child care and early development resources. The appropriation includes:

- An increase of \$5,667,508 total funds, including \$1,803,437 General Fund, for maintenance of effort requirements for the Colorado Child Care Assistance Program;
- An increase of \$2,730,148 federal funds from the Child Care Development Fund and 7.2 FTE to support access to and licensing of child care services;
- A reduction of \$100,000 General Fund for early literacy programming; and
- A net zero refinance of \$3,045,323 General Fund with federal funds from the Child Care Development Fund.

**EARLY CHILDHOOD INTERVENTION AND PREVENTION SERVICES:** The appropriation includes a net increase of \$631,119 total funds, including a decrease of \$47,945 General Fund, for early childhood intervention and prevention services. The appropriation includes:

- \$1.5 million General Fund to maintain funding for Early Intervention Services;
- \$507,127 cash funds for the Nurse Home Visitor Program;
- A refinance of \$171,937 General Fund with an equivalent amount of cash funds to maintain funding for the Incredible Years Program; and
- A reduction of \$1.4 million General Fund across multiple programs for budget balancing.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$349,386	\$76,304	\$50,199	\$0	\$222,883	0.0
FY 19-20 Budget balancing adjustment	188,494	188,494	0	0	0	0.0
FY 19-20 Payments to OIT	309	0	12	0	297	0.0
<b>TOTAL</b>	<b>\$538,189</b>	<b>\$264,798</b>	<b>\$50,211</b>	<b>\$0</b>	<b>\$223,180</b>	<b>0.0</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes adjustments for the assessment of indirect costs associated with the operations of the Department.

**PROVIDER RATES:** The appropriation includes for budget balancing purposes a reduction of \$1,654,980 total funds, including \$761,200 General Fund, for a 1.0 percent across-the-board reduction for community providers.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$41,609	\$15,330	\$2,817	\$0	\$23,462	0.0
HB 19-1262 Full-day kindergarten	10,879	10,879	0	0	0	0.3
HB 19-1193 Behavioral health supports for high-risk families	0	0	0	0	0	0.0
HB 20-1248 Supplemental bill	(1,503,074)	(1,503,074)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$1,450,586)</b>	<b>(\$1,476,865)</b>	<b>\$2,817</b>	<b>\$0</b>	<b>\$23,462</b>	<b>0.3</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see the *Appendix A, Recent Legislation*.

## OFFICE OF SELF SUFFICIENCY

This section includes appropriations for various public assistance programs, including Colorado Works, the Low-income Energy Assistance Program (LEAP), child support enforcement, and disability determination programs, among others. The majority of funding for this Office comes from the federal Temporary Assistance for Needy Families (TANF) Block Grant.

OFFICE OF SELF SUFFICIENCY						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$287,981,715	\$13,537,999	\$30,589,915	\$2,712,055	\$241,141,746	256.7
HB 19-1215	143,650	0	143,650	0	0	0.0
HB 20-1248	439,160	439,160	0	0	0	0.0
HB 20-1360	1,160,935	(339,065)	0	0	1,500,000	0.0
HB 20-1422	500,000	500,000	0	0	0	0.0
<b>TOTAL</b>	<b>\$290,225,460</b>	<b>\$14,138,094</b>	<b>\$30,733,565</b>	<b>\$2,712,055</b>	<b>\$242,641,746</b>	<b>256.7</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$290,225,460	\$14,138,094	\$30,733,565	\$2,712,055	\$242,641,746	256.7
Indirect cost assessment	4,031,561	0	1,635	2,813,173	1,216,753	0.0
Annualize prior year budget actions	1,816,500	291,709	31,900	238	1,492,653	0.0
Colorado Works Program	1,500,000	0	0	0	1,500,000	0.0
Domestic violence programs	500,000	500,000	0	0	0	0.0
Child support reimbursements	269,361	269,361	0	0	0	0.0
Annualize prior year legislation	(6,243,031)	(806,824)	1,791	0	(5,437,998)	0.0
Budget balancing adjustments	(114,417)	(114,417)	0	0	0	0.0
Provider rates	(18,624)	0	0	0	(18,624)	0.0
<b>HB 20-1360</b>	<b>\$291,966,810</b>	<b>\$14,277,923</b>	<b>\$30,768,891</b>	<b>\$5,525,466</b>	<b>\$241,394,530</b>	<b>256.7</b>
SB 20-029	8,424,500	0	0	0	8,424,500	0.0
<b>TOTAL</b>	<b>\$300,391,310</b>	<b>\$14,277,923</b>	<b>\$30,768,891</b>	<b>\$5,525,466</b>	<b>\$249,819,030</b>	<b>256.7</b>
<b>INCREASE/(DECREASE)</b>	<b>\$10,165,850</b>	<b>\$139,829</b>	<b>\$35,326</b>	<b>\$2,813,411</b>	<b>\$7,177,284</b>	<b>0.0</b>
Percentage Change	3.5%	1.0%	0.1%	103.7%	3.0%	0.0%

<sup>1</sup> Includes appropriations from the CARE subfund of the General Fund for FY 2019-20 and FY 2020-21.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1248 modifies FY 2019-20 appropriations to provide an increase of \$439,160 General Fund to ensure that the funding for the child support pass-through policy can sustain its anticipated growth.

House Bill 20-1360 modifies FY 2019-20 appropriations to provide a net increase of \$1,160,935 total funds, including a reduction of \$339,065 General Fund. Adjustments include:

- An increase of \$1,500,000 federal Temporary Assistance for Needy Families (TANF) block grant funds for county block grant support;
- A reduction of \$220,945 General Fund for actions necessary to balance the FY 2020-21 state budget; and
- A reduction of \$118,120 General Fund for child support pass-through.

House Bill 20-1422 modifies FY 2019-20 appropriations to provide an increase of \$500,000 from the CARES subfund in the General Fund for the Food Pantry Assistance Grant Program to aid Colorado food pantries and food banks in the purchase of food.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**INDIRECT COST ASSESSMENT:** The appropriation includes adjustments for the assessment of indirect costs associated with the operations of the Department.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 R6 Child support employment	\$867,297	\$0	\$0	\$0	\$867,297	0.0
FY 2019-20 Salary survey	691,606	70,764	31,891	0	588,951	0.0
FY 2019-20 Budget balancing	220,945	220,945	0	0	0	0.0
FY 2019-20 Workforce Development Council	35,000	0	0	0	35,000	0.0
FY 2019-20 Payments to OIT	1,652	0	9	238	1,405	0.0
<b>TOTAL</b>	<b>\$1,816,500</b>	<b>\$291,709</b>	<b>\$31,900</b>	<b>\$238</b>	<b>\$1,492,653</b>	<b>0.0</b>

**COLORADO WORKS PROGRAM:** The appropriation includes \$1,500,000 federal funds from the Temporary Assistance to Needy Families block grant to the County Block Grant Support Fund to provide additional resources to small and medium counties severely affected by the current economic downturn.

**DOMESTIC VIOLENCE PROGRAM:** The appropriation includes an increase of \$500,000 from the CARE subfund in the General Fund to support local governments and non-governmental agencies to develop and implement domestic abuse programs.

**CHILD SUPPORT REIMBURSEMENTS:** The appropriation includes \$269,361 General Fund to reimburse counties to ensure full implementation of the child support pass-through policy enacted by S.B. 15-012 (Colorado Works Pass-through Child Support Payment).

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	78,009	14,216	1,791	0	62,002	0.0
SB 17-292 Colorado works employment opportunities with wages	(4,000,000)	0	0	0	(4,000,000)	0.0
HB 20-1360 Long Bill supplemental	(1,381,880)	118,120	0	0	(1,500,000)	0.0
HB 20-1422 Food pantry assistance grant program	(500,000)	(500,000)	0	0	0	0.0
HB 20-1248 Supplemental bill	(439,160)	(439,160)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$6,243,031)</b>	<b>(\$806,824)</b>	<b>\$1,791</b>	<b>\$0</b>	<b>(\$5,437,998)</b>	<b>0.0</b>

**BUDGET BALANCING ADJUSTMENTS:** The appropriation includes a reduction of \$114,417 General Fund in various Department line items in which it was determined that costs associated with the COVID-19 disaster emergency should be covered by Coronavirus Relief Funds as opposed to General Fund. The actions were taken for budget balancing purposes.

**PROVIDER RATES:** The appropriation includes for budget balancing purposes a reduction of \$18,624 total funds for a 1.0 percent across-the-board reduction for community providers.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see the *Appendix A, Recent Legislation*.

## OFFICE OF BEHAVIORAL HEALTH

The Office of Behavioral Health (OBH) is responsible for administrative oversight of the State's public behavioral health system. Funding in this section supports community-based prevention, crisis response, treatment, and recovery support services for mental health and substance use disorders. Funding also supports the operation of the State's two mental health institutes. Significant sources of cash funds include: marijuana tax revenues, patient revenues earned by the mental health institutes, and penalty surcharges for traffic offenses involving alcohol and drugs. Significant

sources of reappropriated funds include: Medicaid funds transferred from the Department of Health Care Policy and Financing (HCPF), Correctional Treatment Cash Fund money transferred from the Judicial Department, and General Fund transferred from the Department of Corrections. Federal funds primarily include the Substance Abuse Prevention and Treatment Block Grant and the Mental Health Services Block Grant.

OFFICE OF BEHAVIORAL HEALTH						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$365,492,137	\$248,822,367	\$46,434,217	\$28,286,291	\$41,949,262	1,398.8
SB 19-008	1,963,832	1,963,832	0	0	0	1.5
SB 19-195	442,449	142,449	0	300,000	0	1.5
SB 19-222	220,707	0	0	0	220,707	1.0
SB 19-223	7,176,287	7,176,287	0	0	0	19.0
SB 19-228	1,192,367	0	1,192,367	0	0	2.1
HB 19-1009	50,000	50,000	0	0	0	0.0
HB 19-1287	5,329,138	0	5,329,138	0	0	2.5
HB 20-1248	100,000	(120,017)	2,463,512	(2,243,495)	0	0.0
HB 20-1360	(14,493,482)	(14,493,482)	0	0	0	0.0
HB 20-1411	13,080,000	13,080,000	0	0	0	0.0
<b>TOTAL</b>	<b>\$380,553,435</b>	<b>\$256,621,436</b>	<b>\$55,419,234</b>	<b>\$26,342,796</b>	<b>\$42,169,969</b>	<b>1,426.4</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$380,553,435	\$256,621,436	\$55,419,234	\$26,342,796	\$42,169,969	1,426.4
Annualize prior year budget actions	18,679,964	18,188,865	57,228	276,103	157,768	0.0
Mental health institutes	3,776,572	3,776,572	0	0	0	34.9
Consent Decree fines and fees	2,947,000	2,947,000	0	0	0	0.0
Indirect cost assessment	63,922	0	26,927	25,522	11,473	0.0
Human resource staffing	55,801	0	23,503	22,282	10,016	0.0
Budget balancing adjustments	(15,416,885)	(15,416,885)	0	0	0	0.0
Substance use programs	(10,919,960)	(6,282,960)	(4,000,000)	(637,000)	0	0.0
Annualize prior year legislation	(10,142,843)	(9,902,305)	(351,453)	99,023	11,892	14.5
Other behavioral health programs	(3,923,639)	(2,947,000)	(976,639)	0	0	0.0
Community mental health programs	(2,000,000)	(1,000,000)	(1,000,000)	0	0	0.0
Provider rates	(1,746,333)	(1,285,861)	(353,848)	(106,624)	0	0.0
<b>HB 20-1360</b>	<b>\$361,927,034</b>	<b>\$244,698,862</b>	<b>\$48,844,952</b>	<b>\$26,022,102</b>	<b>\$42,361,118</b>	<b>1,475.8</b>
HB 20-1384	(495,380)	(195,380)	0	(300,000)	0	(2.5)
HB 20-1391	(503,402)	0	(503,402)	0	0	(2.5)
<b>TOTAL</b>	<b>\$360,928,252</b>	<b>\$244,503,482</b>	<b>\$48,341,550</b>	<b>\$25,722,102</b>	<b>\$42,361,118</b>	<b>1,470.8</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$19,625,183)</b>	<b>(\$12,117,954)</b>	<b>(\$7,077,684)</b>	<b>(\$620,694)</b>	<b>\$191,149</b>	<b>44.4</b>
Percentage Change	(5.2%)	(4.7%)	(12.8%)	(2.4%)	0.5%	3.1%

<sup>1</sup> Includes appropriations from the CARE subfund of the General Fund for FY 2019-20 and FY 2020-21.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1248 modifies FY 2019-20 appropriations to provide a net increase of \$100,000 total funds, including a reduction of \$120,017 General Fund. Adjustments include:

- An increase of \$100,000 General Fund to pay for fines and fees accrued as part of the Consent Decree resulting from the *Center for Legal Advocacy (d/ b/a Disability Law Colorado) v. Barnes and Marshall (Colorado Department of Human Services)* lawsuit, and
- The modification of appropriations for the Colorado Mental Health Institute at Fort Logan (CMHIFL) and the Colorado Mental Health Institute at Pueblo (CMHIP) to reflect updated earned revenue estimates. The adjustments decrease direct General Fund appropriations to the Department of Human Services by \$220,017.

House Bill 20-1360 modifies FY 2019-20 appropriations to provide a reduction of \$14,493,482 General Fund. Adjustments include:

- A reduction of \$12,993,482 General Fund for actions necessary to balance the FY 2020-21 state budget; and

- A reduction of \$1,500,000 General Fund for Community Transition Services.

House Bill 20-1411 modifies FY 2019-20 appropriations to provide an increase of \$13,080,000 from the CARE subfund in the General Fund for behavioral health services related to the COVID-19 public health emergency.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 Budget balancing	\$12,993,482	\$12,993,482	\$0	\$0	\$0	0.0
FY 2019-20 Salary survey	3,340,586	2,841,383	65,745	275,818	157,640	0.0
FY 2019-20 Community services transition	1,500,000	1,500,000	0	0	0	0.0
FY 19-20 R1 Mental Health Institute at Pueblo	1,010,474	1,010,474	0	0	0	0.0
FY 19-20 Payments to OIT	863	0	450	285	128	0.0
FY 2019-20 Fines and fees	(100,000)	(100,000)	0	0	0	0.0
Leap year	(65,441)	(56,474)	(8,967)	0	0	0.0
<b>TOTAL</b>	<b>\$18,679,964</b>	<b>\$18,188,865</b>	<b>\$57,228</b>	<b>\$276,103</b>	<b>\$157,768</b>	<b>0.0</b>

**MENTAL HEALTH INSTITUTES:** The appropriation includes a net increase of \$3,776,572 General Fund, including 34.9 FTE, for operations at the State's Mental Health Institutes (Pueblo and Fort Logan). The appropriation includes:

- \$3.3 million and 34.9 FTE to operate and staff the new L2 High Security Forensic Unit at the Colorado Mental Health Institute at Pueblo (CMHIP);
- \$689,371 to upgrade the phone system at CMHIP;
- \$540,894 to increase pay for psychologists within the mental health institutes; and
- A reduction of \$750,000 for contract medical expenses at CMHIP.

**CONSENT DECREE FINES AND FEES:** The appropriation includes \$2,947,000 General Fund for FY 2020-21 to pay for fines and fees accrued as part of the Consent Decree resulting from the *Center for Legal Advocacy (d/b/a Disability Law Colorado) v. Barnes and Marshall (Colorado Department of Human Services)* lawsuit.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

**HUMAN RESOURCE STAFFING:** The appropriation includes an increase of \$55,801 total funds to increase the number of human resources professionals in the Department.

**BUDGET BALANCING ADJUSTMENTS:** The appropriation includes a reduction of \$15,416,885 General Fund in various Department line items in which it was determined that costs associated with the COVID-19 disaster emergency should be covered by Coronavirus Relief Funds as opposed to General Fund. The actions were taken for budget balancing purposes.

**SUBSTANCE USE PROGRAMS:** The appropriation includes a decrease of \$10,919,960 total funds, including \$6,282,960 General Fund, for budget balancing actions related to substance use programs in the Office of Behavioral Health, including the following reductions:

- \$5.0 million cash funds from the Marijuana Tax Cash Fund to eliminate funding for the Building Substance Use Disorder Treatment Capacity in Underserved Communities Grant Program;
- \$2.8 million total funds, including \$1.3 million General Fund and \$1.5 million cash funds from the Marijuana Tax Cash Fund, for substance use treatment and detoxification services.



- \$1.2 million General Fund to eliminate the FY 2020-21 increase related to S.B 19-008 (Substance Use Disorder Treatment in the Criminal Justice System);
- \$750,000 General Fund for the Short-Term Intensive Residential Remediation and Treatment Program;
- \$637,000 reappropriated funds for the High Risk Pregnant Women program; and
- \$600,000 total funds for the Circle Program, including a decrease of \$3.1 million General Fund and an increase of \$2.5 million cash funds from the Marijuana Tax Cash Fund.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 19-008 Substance use disorder treatment in criminal justice system	1,146,861	1,146,861	0	0	0	0.0
SB 18-200 PERA	660,169	570,862	3,689	69,023	16,595	0.0
SB 19-223 Actions related to competency to proceed	1,407,041	1,407,041	0	0	0	13.5
HB 19-1287 Treatment for substance use disorders	174,264	0	174,264	0	0	0.0
SB 19-195 Behavioral health services for children and youth	52,931	52,931	0	0	0	1.0
HB18-1136 Expand Medicaid benefit for substance use disorder	30,000	0	0	30,000	0	0.0
HB 20-1411 COVID-19 funds allocation for behavioral health	(13,080,000)	(13,080,000)	0	0	0	0.0
SB 19-228 Substance use disorders prevention	(529,406)	0	(529,406)	0	0	0.0
SB 19-222 Behavioral health care for individuals at risk	(4,703)	0	0	0	(4,703)	0.0
<b>TOTAL</b>	<b>(\$10,142,843)</b>	<b>(\$9,902,305)</b>	<b>(\$351,453)</b>	<b>\$99,023</b>	<b>\$11,892</b>	<b>14.5</b>

**OTHER BEHAVIORAL HEALTH PROGRAMS:** The appropriation includes a decrease of \$3,923,639 total funds, including \$2,947,000 General Fund, for budget balancing actions related to behavioral health programs, including the following reductions:

- \$1.1 million General Fund for jail-based behavioral health programs;
- \$1.0 million General Fund for the Community Transition Services program;
- \$600,000 General Fund to eliminate funding for the Crisis Services public information campaign;
- \$546,639 cash funds from the Marijuana Tax Cash Fund to eliminate funding for the Crisis Services secure transportation pilot program;
- \$380,000 cash funds from the Persistent Drunk Driver Cash Fund for contracted marketing expenses and withdrawal management programs, both of which are duplicative to other programs;
- \$247,000 General Fund for the Short-Term Intensive Remedial Treatment (STIRT) program;
- \$50,000 cash funds to eliminate funding for the evaluation of the gambling addiction program. Senate Bill 18-191 (Local Government Limited Gaming Impact Fund) appropriated \$50,000 to the Department in FYs 2018-19 and 2019-20 to develop a plan for a gambling addiction program.

**COMMUNITY MENTAL HEALTH PROGRAMS:** The appropriation includes a reduction of \$2,000,000 total funds for budget balancing reductions to contracts with community mental health centers for the following programs:

- \$1.0 million General Fund for Assertive Community Treatment programs; and
- \$1.0 million cash funds from the Marijuana Tax Cash Fund for services for juvenile and adult offenders.

**PROVIDER RATES:** The appropriation includes a reduction of \$1,746,333 total funds, including \$1,285,861 General Fund, for a 1.0 percent across-the-board reduction for community providers.

## SERVICES FOR PEOPLE WITH DISABILITIES

This division includes funding for the following:

- Regional Centers – state operated facilities for individuals with intellectual and developmental disabilities that provide residential services, medical care, and active treatment programs based on individual assessments and habilitation plans.
- Work Therapy Program – sheltered training and employment workshops for individuals receiving services at the Colorado Mental Health Institute at Fort Logan and the Regional Centers at Grand Junction and Wheat Ridge.
- Colorado Brain Injury Program – direct services for individuals with a traumatic brain injury, research related to traumatic brain injuries, and education related to traumatic brain injuries.
- Veterans Community Living Centers – facilities to serve honorably discharged veterans and their spouses, widows, and parents of deceased veterans, including: long-term care such as skilled nursing care; speech, physical and occupational therapy; social activities; short-term rehabilitation services for individuals seeking to return home following a qualifying hospital stay; memory care services for individuals with dementia; short-term respite care; and end-of-life/hospice services.

SERVICES FOR PEOPLE WITH DISABILITIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$133,634,589	\$3,529,222	\$44,554,358	\$64,112,149	\$21,438,860	1,414.6
HB 19-1147	900,000	450,000	0	450,000	0	0.0
HB 20-1248	500,000	500,000	0	0	0	0.0
<b>TOTAL</b>	<b>\$135,034,589</b>	<b>\$4,479,222</b>	<b>\$44,554,358</b>	<b>\$64,562,149</b>	<b>\$21,438,860</b>	<b>1,414.6</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$135,034,589	\$4,479,222	\$44,554,358	\$64,562,149	\$21,438,860	1,414.6
Annualize prior year budget actions	1,207,659	684	22,682	1,184,293	0	0.0
Indirect cost assessment	206,957	0	55,717	151,131	109	0.0
Regional center funding	100,000	100,000	0	0	0	0.0
Veterans Community Living Centers	0	(2,669,922)	2,669,922	0	0	0.0
Annualize prior year legislation	(602,224)	(449,863)	1,273	(153,634)	0	0.0
<b>HB 20-1360</b>	<b>\$135,946,981</b>	<b>\$1,460,121</b>	<b>\$47,303,952</b>	<b>\$65,743,939</b>	<b>\$21,438,969</b>	<b>1,414.6</b>
<b>TOTAL</b>	<b>\$135,946,981</b>	<b>\$1,460,121</b>	<b>\$47,303,952</b>	<b>\$65,743,939</b>	<b>\$21,438,969</b>	<b>1,414.6</b>
<b>INCREASE/(DECREASE)</b>						
Percentage Change	0.7%	(67.4%)	6.2%	1.8%	>0.1%	0.0%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1248 modifies FY 2019-20 appropriations to provide an increase of \$500,000 General Fund to cover the non-Medicaid eligible cost of room and board that exceeds resident payments at the Grand Junction and Pueblo Regional Centers.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second year impact of salary survey.

**INDIRECT COST ASSESSMENT:** The appropriation includes adjustments for the assessment of indirect costs associated with the operations of the Department.

**REGIONAL CENTER FUNDING:** The appropriation includes \$100,000 General Fund to cover the costs of room and board that exceed resident payments at the Grand Junction and Pueblo regional centers.

**VETERANS COMMUNITY LIVING CENTERS:** The appropriation includes a decrease of \$2,669,922 General Fund with a corresponding increase in cash fund spending authority from the Central Fund for Veterans Community Living Centers.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$297,776	\$137	\$1,273	\$296,366	\$0	0.0
HB 19-1147 (Revise Traumatic Brain Injury Program)	(900,000)	(450,000)	0	(450,000)	0	0.0
<b>TOTAL</b>	<b>(\$602,224)</b>	<b>(\$449,863)</b>	<b>\$1,273</b>	<b>(\$153,634)</b>	<b>\$0</b>	<b>0.0</b>

## ADULT ASSISTANCE PROGRAMS

This section includes funding for the Old Age Pension Program, for various adult cash assistance programs, and for community services for the elderly, including Older Americans Act programs. Cash funds are primarily from the Old Age Pension Fund and from local funds.

ADULT ASSISTANCE PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$209,958,541	\$54,190,166	\$134,145,103	\$1,001,800	\$20,621,472	32.3
HB 19-1223	1,450,000	0	1,450,000	0	0	0.8
HB 20-1248	(638,356)	(638,356)	0	0	0	0.0
<b>TOTAL</b>	<b>\$210,770,185</b>	<b>\$53,551,810</b>	<b>\$135,595,103</b>	<b>\$1,001,800</b>	<b>\$20,621,472</b>	<b>33.1</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$210,770,185	\$53,551,810	\$135,595,103	\$1,001,800	\$20,621,472	33.1
Annualize prior year legislation	2,261,011	3,665,813	(1,406,575)	0	1,773	0.1
Annualize prior year budget actions	44,121	(10,597)	37,868	0	16,850	0.2
Indirect cost assessment	2,265	0	(1)	0	2,266	0.0
Older Coloradans Cash Fund	0	(3,000,000)	3,000,000	0	0	0.0
Old age pension	(22,268,490)	0	(22,268,490)	0	0	0.0
Aid to the Needy Disabled	(2,700,000)	(2,700,000)	0	0	0	0.0
Provider rates	(185,409)	(126,639)	(37,446)	0	(21,324)	0.0
<b>HB 20-1360</b>	<b>\$187,923,683</b>	<b>\$51,380,387</b>	<b>\$114,920,459</b>	<b>\$1,001,800</b>	<b>\$20,621,037</b>	<b>33.4</b>
HB 20-1388	(3,754,999)	(3,754,999)	0	0	0	(0.1)
<b>TOTAL</b>	<b>\$184,168,684</b>	<b>\$47,625,388</b>	<b>\$114,920,459</b>	<b>\$1,001,800</b>	<b>\$20,621,037</b>	<b>33.3</b>
<b>INCREASE/(DECREASE)</b>						
	(\$26,601,501)	(\$5,926,422)	(\$20,674,644)	\$0	(\$435)	0.2
Percentage Change	(12.6%)	(11.1%)	(15.2%)	0.0%	(0.0%)	0.6%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1248 modifies FY 2019-20 appropriations to provide a reduction of \$638,356 General Fund to reflect the elimination of the Home Care Allowance Special Populations program from statute as of September 2019.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1223 Social Security disability application assistance	\$2,304,999	\$3,754,999	(\$1,450,000)	\$0	\$0	0.1
HB 20-1248 Supplemental bill	638,356	638,356	0	0	0	0.0
SB 18-200 PERA	12,763	8,865	2,125	0	1,773	0.0
HB 17-1284 Data system check for employees service at-risk adults	0	(41,300)	41,300	0	0	0.0
HB 17-1045 Extend home care allowance grant program	(695,107)	(695,107)	0	0	0	0.0
<b>TOTAL</b>	<b>\$2,261,011</b>	<b>\$3,665,813</b>	<b>(\$1,406,575)</b>	<b>\$0</b>	<b>\$1,773</b>	<b>0.1</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$98,822	\$44,118	\$37,868	\$0	\$16,836	0.0
FY 19-20 Payments to OIT	14	0	0	0	14	0.0
FY 19-20 R10 APS program specialist	0	0	0	0	0	0.2
FY 19-20 Fines and fees	(54,715)	(54,715)	0	0	0	0.0
<b>TOTAL</b>	<b>\$44,121</b>	<b>(\$10,597)</b>	<b>\$37,868</b>	<b>\$0</b>	<b>\$16,850</b>	<b>0.2</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes adjustments for the assessment of indirect costs associated with the operations of the Department.

**OLDER COLORADANS CASH FUND:** The appropriation includes a net zero refinance of \$3,000,000 General Fund with \$3,000,000 cash funds from the Older Coloradans Cash Fund. The Older Coloradans Cash Fund supports senior services, including personal care, assisted transportation, congregate meals, home-delivered meals, homemaker services, adult day care, transportation, and legal assistance.

**OLD AGE PENSION:** The appropriation includes a reduction of \$22,268,490 cash funds from the Old Age Pension Fund to reflect the decrease in caseload and to align the appropriation with actual and projected expenditures for the Old Age Pension Cash Assistance Program.

**AID TO THE NEEDY DISABLED:** The appropriation includes a reduction of \$2,700,000 General Fund from the Aid to the Needy Disabled program. This program has reverted on average \$2,700,000 in cash funds in the last two fiscal years, allowing the program to absorb this reduction while maintaining services within existing resources.

**PROVIDER RATES:** The appropriation includes a reduction of \$185,409 total funds, including \$126,639 General Fund, for a 1.0 percent across-the-board reduction for community providers.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see the *Appendix A, Recent Legislation*.

## DIVISION OF YOUTH SERVICES

Formerly known as the Division of Youth Corrections, this agency is responsible for the supervision, care, and treatment of juveniles held in secure detention pre- or post-adjudication, juveniles committed or sentenced to the Department by courts, and juveniles receiving six month mandatory parole services following a commitment. The Division maintains ten secure institutional centers and augments this capacity with contracts for community, staff secure, and detention placements.

DIVISION OF YOUTH SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$144,626,480	\$139,147,318	\$2,383,529	\$3,095,417	\$216	1,246.6
SB 19-108	500,000	500,000	0	0	0	0.0
SB 19-136	259,562	259,562	0	0	0	0.5
SB 19-210	(1,515,099)	(1,515,099)	0	0	0	(31.5)
HB 20-1248	(2,490,870)	(3,959,775)	0	(129,585)	1,598,490	2.9
HB 20-1360	(7,423,012)	(7,423,012)	0	0	0	(2.9)
<b>TOTAL</b>	<b>\$133,957,061</b>	<b>\$127,008,994</b>	<b>\$2,383,529</b>	<b>\$2,965,832</b>	<b>\$1,598,706</b>	<b>1,215.6</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$133,957,061	\$127,008,994	\$2,383,529	\$2,965,832	\$1,598,706	1,215.6
Annualize prior year budget actions	5,860,172	5,837,228	(273)	9,710	13,507	(10.0)
Annualize prior year legislation	2,894,727	2,889,883	303	3,119	1,422	0.0
Indirect cost assessment	1,756	0	1,756	0	0	0.0
Budget balancing adjustments	(5,412,932)	(5,412,932)	0	0	0	0.0
Division of Youth Services	(4,999,723)	(5,470,682)	1,000,000	(250,729)	(278,312)	0.0
Provider rates	(405,791)	(375,726)	(20,688)	0	(9,377)	0.0
<b>HB 20-1360</b>	<b>\$131,895,270</b>	<b>\$124,476,765</b>	<b>\$3,364,627</b>	<b>\$2,727,932</b>	<b>\$1,325,946</b>	<b>1,205.6</b>
HB 20-1390	(610,854)	(610,854)	0	0	0	(4.0)
<b>TOTAL</b>	<b>\$131,284,416</b>	<b>\$123,865,911</b>	<b>\$3,364,627</b>	<b>\$2,727,932</b>	<b>\$1,325,946</b>	<b>1,201.6</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$2,672,645)</b>	<b>(\$3,143,083)</b>	<b>\$981,098</b>	<b>(\$237,900)</b>	<b>(\$272,760)</b>	<b>(14.0)</b>
Percentage Change	(2.0%)	(2.5%)	41.2%	(8.0%)	(17.1%)	(1.2%)

### FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1248 modifies FY 2019-20 appropriations to provide a net decrease of \$2,490,870 total funds, including a reduction of \$3,959,775 General Fund, and an increase of 2.9 FTE. Adjustments include:

- An increase of \$337,346 General Fund and 1.7 FTE to purchase drug detection wands for three of the ten youth services centers, hire employees to operate the drug detection wands, and contract for drug detection canines at all ten youth services centers;
- An increase of \$180,410 General Fund and 1.2 FTE to create four unique facilities on the Lookout Mountain campus;
- A net reduction of \$2,725,286 total funds, including a reduction of \$4,194,191 General Fund, for youth services caseload adjustments based on the December 2019 economic forecast; and
- A reduction of \$283,340 General Fund for the cost of assessments performed by the Division of Youth Services to meet the requirements of S.B. 19-108 (Juvenile Justice Reform). This reduction is offset by an increase of \$283,340 General Fund in the Judicial Department.

House Bill 20-1360 modifies FY 2019-20 appropriations to provide a reduction of \$7,423,012 General Fund. Adjustments include:

- A reduction of \$4,217,345 General Fund in various Department line items in which it was determined that costs associated with the COVID-19 disaster emergency should be covered by Coronavirus Relief Funds as opposed to General Fund;

- A reduction of \$1,800,000 General Fund for contract placements in the Division of Youth Services (DYS);
- A reduction of \$887,911 General Fund for medical services in DHS;
- A reduction of \$337,346 General Fund and 1.7 FTE for drug detection devices in DHS; and
- A reduction of \$180,410 General Fund and 1.2 FTE for the restructure of the DHS Lookout Mountain Youth Services Center.

## FY 2020-21 APPROPRIATION HIGHLIGHTS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Budget balancing adjustment	\$4,217,345	\$4,217,345	0	0	0	0.0
FY 19-20 Salary survey	2,131,664	2,100,298	5,395	12,464	13,507	0.0
FY 19-20 Division of Youth Services	(488,837)	(480,415)	(5,668)	(2,754)	0	(10.0)
<b>TOTAL</b>	<b>\$5,860,172</b>	<b>\$5,837,228</b>	<b>(\$273)</b>	<b>\$9,710</b>	<b>\$13,507</b>	<b>(10.0)</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 20-1360 Long Bill supplemental	\$3,205,667	\$3,205,667	\$0	\$0	\$0	2.9
SB 18-200 PERA	426,816	421,972	303	3,119	1,422	0.0
HB 20-1248 Supplemental bill	(517,756)	(517,756)	0	0	0	(2.9)
SB 19-108 Juvenile Justice Reform	(220,000)	(220,000)	0	0	0	0.0
<b>TOTAL</b>	<b>\$2,894,727</b>	<b>\$2,889,883</b>	<b>\$303</b>	<b>\$3,119</b>	<b>\$1,422</b>	<b>0.0</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes adjustments for the assessment of indirect costs associated with the operations of the Department.

**BUDGET BALANCING ADJUSTMENTS:** The appropriation includes a reduction of \$5,412,932 General Fund in various Department line items for budget balancing purposes.

**DIVISION OF YOUTH SERVICES:** The appropriation includes a net reduction of \$4,999,723 total funds, including a reduction of \$5,470,682 General Fund, for Division of Youth Services programs.

DIVISION OF YOUTH SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Youth facilities refurbishment and safety	\$682,192	\$682,192	\$0	\$0	\$0	0.0
Drug detection	208,000	208,000	0	0	0	0.0
SB 91-94 Programs	0	(1,000,000)	1,000,000	0	0	0.0
Caseload	(4,637,778)	(4,160,874)	0	(198,592)	(278,312)	0.0
Youth services contracted services	(1,200,000)	(1,200,000)	0	0	0	0.0
Technical correction	(52,137)	0	0	(52,137)	0	0.0
<b>TOTAL</b>	<b>(\$4,999,723)</b>	<b>(\$5,470,682)</b>	<b>\$1,000,000</b>	<b>(\$250,729)</b>	<b>(\$278,312)</b>	<b>0.0</b>

**PROVIDER RATES:** The appropriation includes a reduction of \$405,791 total funds, including \$375,726 General Fund, for a 1.0 percent across-the-board reduction for community providers.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# Details

## JUDICIAL DEPARTMENT

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

JUDICIAL DEPARTMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$835,625,577</b>	<b>\$606,121,371</b>	<b>\$173,009,573</b>	<b>\$52,069,633</b>	<b>\$4,425,000</b>	<b>4,870.8</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Supreme Court and Court of Appeals	26,733,318	15,288,404	11,372,017	72,897	0	219.5
Courts Administration	251,961,742	137,185,099	100,209,448	14,567,195	0	466.5
Trial Courts	183,530,802	147,691,863	31,963,939	2,250,000	1,625,000	1,921.5
Probation and Related Services	163,525,869	99,089,289	28,885,783	32,750,797	2,800,000	1,298.8
Office of the State Public Defender	106,892,415	106,837,415	55,000	0	0	889.1
Office of the Alternate Defense Counsel	45,943,981	45,863,981	80,000	0	0	15.9
Office of the Child's Representative	29,766,990	29,740,081	0	26,909	0	33.0
Office of the Respondent Parents' Counsel	25,239,447	22,802,612	35,000	2,401,835	0	13.0
Office of the Child Protection Ombudsman	990,918	990,918	0	0	0	8.0
Independent Ethics Commission	204,709	204,709	0	0	0	1.0
Office of Public Guardianship	835,386	427,000	408,386	0	0	4.5
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$828,444,020	\$605,480,938	\$168,839,189	\$49,698,893	\$4,425,000	4,799.4
SB 19-030	543,461	543,461	0	0	0	4.8
SB 19-043	7,417,731	7,417,731	0	0	0	53.7
SB 19-108	68,598	68,598	0	0	0	0.8
SB 19-180	1,500,000	750,000	750,000	0	0	0.0
SB 19-211	442,543	442,543	0	0	0	0.0
SB 19-223	750,570	750,570	0	0	0	5.4
HB 19-1045	835,386	427,000	408,386	0	0	4.5
HB 19-1177	119,392	119,392	0	0	0	0.0
HB 19-1263	74,409	74,409	0	0	0	0.4
HB 19-1275	47,361	0	47,361	0	0	0.8
HB 19-1310	220,480	0	220,480	0	0	0.0
HB 19-1316	59,850	59,850	0	0	0	0.0
HB 20-1249	3,968,134	1,562,394	35,000	2,370,740	0	1.0
HB 20-1360	(9,216,358)	(11,575,515)	2,359,157	0	0	0.0
HB 20-1410	350,000	0	350,000	0	0	0.0
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$816,409,670</b>	<b>\$580,369,837</b>	<b>\$175,497,336</b>	<b>\$56,117,497</b>	<b>\$4,425,000</b>	<b>4,945.8</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Supreme Court and Court of Appeals	27,880,934	15,907,974	11,900,063	72,897	0	220.5
Courts Administration	211,205,276	101,874,283	94,884,163	14,446,830	0	474.5
Trial Courts	189,120,604	148,562,963	36,682,641	2,250,000	1,625,000	1,949.5
Probation and Related Services	164,932,835	98,811,222	31,028,625	32,292,988	2,800,000	1,296.8
Office of the State Public Defender	108,256,486	108,116,486	140,000	0	0	925.1
Office of the Alternate Defense Counsel	52,067,382	51,987,382	80,000	0	0	16.0
Office of the Child's Representative	33,068,267	31,305,822	0	1,762,445	0	34.4

JUDICIAL DEPARTMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Office of the Respondent Parents' Counsel	27,993,134	22,652,797	48,000	5,292,337	0	14.0
Office of the Child Protection Ombudsman	961,637	961,637	0	0	0	8.0
Independent Ethics Commission	189,271	189,271	0	0	0	1.0
Office of Public Guardianship	733,844	0	733,844	0	0	6.0
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360	\$827,340,205	\$590,680,495	\$176,117,213	\$56,117,497	\$4,425,000	4,945.8
SB 20-162	389,760	389,760	0	0	0	0.0
HB 20-1368	(153,377)	(153,377)	0	0	0	0.0
HB 20-1379	(8,470,053)	(7,850,176)	(619,877)	0	0	0.0
HB 20-1394	(2,696,865)	(2,696,865)	0	0	0	0.0
<b>INCREASE/(DECREASE)</b>	<b>(\$19,215,907)</b>	<b>(\$25,751,534)</b>	<b>\$2,487,763</b>	<b>\$4,047,864</b>	<b>\$0</b>	<b>75.0</b>
Percentage Change	(2.3%)	(4.2%)	1.4%	7.8%	0.0%	1.5%

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Judicial Department are annotated with the "(I)". For additional information, see Appendix K.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$46,086,067	\$0	\$41,603,063	\$58,004	\$4,425,000

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### SUPREME COURT AND COURT OF APPEALS

This Long Bill section provides funding for the Colorado Supreme Court and the Colorado Court of Appeals. The *Supreme Court* is the State's court of last resort, and its decisions are binding on all other State courts. While requests to review decisions of the Colorado Court of Appeals constitute the majority of the Supreme Court's filings, the Court also has direct appellate jurisdiction over other types of cases, such as those cases in which a statute has been held to be unconstitutional. The Supreme Court also oversees the regulation of attorneys and the practice of law. The Supreme Court is composed of seven Justices who serve renewable ten-year terms. The Chief Justice, selected by the Justices of the Court, is the executive head of the Judicial Department. In FY 2018-19, 1,333 cases were filed with the Supreme Court.

Created by statute, the *Court of Appeals* is generally the first court to hear appeals of judgments and orders in criminal, juvenile, civil, domestic relations, and probate matters. The Court of Appeals also has initial jurisdiction to review actions and decisions of several state agencies, boards, and commissions. Its determination of an appeal is final unless the Colorado Supreme Court agrees to review the matter. The Court of Appeals is currently composed of 22 judges who serve renewable eight-year terms. In FY 2018-19, 2,481 cases were filed with the Court of Appeals.

Cash fund sources primarily include annual attorney registration fees and law examination application fees, appellate court filing fees, and court docket fees that are credited to the Judicial Stabilization Cash Fund. Reappropriated funds are transferred from the Department of Law.



SUPREME COURT AND COURT OF APPEALS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$27,053,858	\$15,608,944	\$11,372,017	\$72,897	\$0	219.5
HB 20-1360	(320,540)	(320,540)	0	0	0	0.0
<b>TOTAL</b>	<b>\$26,733,318</b>	<b>\$15,288,404</b>	<b>\$11,372,017</b>	<b>\$72,897</b>	<b>\$0</b>	<b>219.5</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$26,733,318	\$15,288,404	\$11,372,017	\$72,897	\$0	219.5
Annualize prior budget actions	795,751	795,751	0	0	0	0.0
Technical adjustments	517,268	17,268	500,000	0	0	1.0
Annualize prior legislation	72,522	71,581	941	0	0	0.0
Indirect cost assessment	27,105	0	27,105	0	0	0.0
<b>HB 20-1360</b>	<b>\$28,145,964</b>	<b>\$16,173,004</b>	<b>\$11,900,063</b>	<b>\$72,897</b>	<b>\$0</b>	<b>220.5</b>
HB 20-1394	(265,030)	(265,030)	0	0	0	0.0
<b>TOTAL</b>	<b>\$27,880,934</b>	<b>\$15,907,974</b>	<b>\$11,900,063</b>	<b>\$72,897</b>	<b>\$0</b>	<b>220.5</b>
<b>INCREASE/(DECREASE)</b>	<b>\$1,147,616</b>	<b>\$619,570</b>	<b>\$528,046</b>	<b>\$0</b>	<b>\$0</b>	<b>1.0</b>
Percentage Change	4.3%	4.1%	4.6%	0.0%	n/a	0.5%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1360 includes a budget balancing measure based on Judicial reversions that reduces appropriations to *Appellate Court Programs* on a one time basis by \$320,540 General Fund, which equals the projected reversion from the line item.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes the following General Fund increases to annualize prior year budget actions: \$445,879 for FY 19-20 merit pay, \$320,540 for the one-time FY 19-20 budget balancing reductions in H.B. 20-1360, \$19,315 for the FY 19-20 creation of a centralized legal research team, and \$10,017 for FY 2019-20 salary survey.

**TECHNICAL ADJUSTMENTS:** The appropriation increases General Fund appropriations in this division by \$17,268 and cash fund appropriations by \$500,000 as part of a series of technical adjustments.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an increase of \$72,522 total funds to reflect the FY 2020-21 impact of S.B. 18-200 (PERA).

**INDIRECT COST ASSESSMENT:** The appropriation includes an increase of \$27,105 cash funds in the division's indirect cost assessment.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## COURTS ADMINISTRATION

The Justices of the Supreme Court appoint a State Court Administrator to oversee the daily administration of the Department and provide technical and administrative support to the courts and probation. This Long Bill section is comprised of four subsections: Administration and Technology; Central Appropriations; Centrally Administered Programs; and Ralph L. Carr Colorado Judicial Center.

COURTS ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$250,364,791	\$137,569,724	\$98,227,872	\$14,567,195	\$0	464.6
SB 19-043	2,373,622	2,373,622	0	0	0	0.9
SB 19-180	1,500,000	750,000	750,000	0	0	0.0
SB 19-211	442,543	442,543	0	0	0	0.0
SB 19-223	180,636	180,636	0	0	0	0.0
HB 19-1310	220,480	0	220,480	0	0	0.0
HB 20-1249	(838,570)	(838,570)	0	0	0	1.0
HB 20-1360	(2,631,760)	(3,292,856)	661,096	0	0	0.0
HB 20-1410	350,000	0	350,000	0	0	0.0
<b>TOTAL</b>	<b>\$251,961,742</b>	<b>\$137,185,099</b>	<b>\$100,209,448</b>	<b>\$14,567,195</b>	<b>\$0</b>	<b>466.5</b>
FY 2020-21 APPROPRIATION:						
HB 20-1360	\$219,800,559	\$109,849,689	\$95,504,040	\$14,446,830	\$0	474.5
HB 20-1368	(125,230)	(125,230)	0	0	0	0.0
HB 20-1379	(8,470,053)	(7,850,176)	(619,877)	0	0	0.0
<b>TOTAL</b>	<b>\$211,205,276</b>	<b>\$101,874,283</b>	<b>\$94,884,163</b>	<b>\$14,446,830</b>	<b>\$0</b>	<b>474.5</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$40,756,466)</b>	<b>(\$35,310,816)</b>	<b>(\$5,325,285)</b>	<b>(\$120,365)</b>	<b>\$0</b>	<b>8.0</b>
Percentage Change	(16.2%)	(25.7%)	(5.3%)	(0.8%)	n/a	1.7%

## ADMINISTRATION AND TECHNOLOGY

This Long Bill subsection of the Courts Administration section provides funding and staff associated with central administration of the State's judicial system, including information technology systems and support. Cash funds are primarily from fees and cost recoveries that are credited to the Judicial Department Information Technology Cash Fund, and drug offender surcharges that are credited to the Correctional Treatment Cash Fund. Reappropriated funds are primarily from departmental indirect cost recoveries.

ADMINISTRATION AND TECHNOLOGY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$46,479,607	\$21,213,436	\$22,682,718	\$2,583,453	\$0	254.3
SB 19-043	110,873	110,873	0	0	0	0.9
HB 19-1310	220,480	0	220,480	0	0	0.0
HB 20-1249	486,952	486,952	0	0	0	0.0
HB 20-1360	(661,095)	(1,322,191)	661,096	0	0	0.0
<b>TOTAL</b>	<b>\$46,636,817</b>	<b>\$20,489,070</b>	<b>\$23,564,294</b>	<b>\$2,583,453</b>	<b>\$0</b>	<b>255.2</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$46,636,817	\$20,489,070	\$23,564,294	\$2,583,453	\$0	255.2
Annualize prior budget actions	1,467,107	2,128,203	(661,096)	0	0	0.0
Kronos and DocuSign software services	334,348	334,348	0	0	0	0.0
Contract management office	305,872	305,872	0	0	0	4.0
Probation -- procurement, officers, and treatment	300,000	0	300,000	0	0	0.0
Move and adjust appropriation for SB 19-108 (Juvenile Justice Reform)	11,338	11,338	0	0	0	0.8
Raise e-filing fees	0	(5,500,000)	5,500,000	0	0	0.0
Technical adjustments	0	0	0	0	0	1.5
Indirect cost assessment	(480,576)	312,366	(463,081)	(329,861)	0	0.0
Annualize prior year legislation	(48,118)	172,362	(220,480)	0	0	0.1
Executive training and education	(20,000)	(20,000)	0	0	0	0.0
Centrally appropriated line items	(11,848)	(11,848)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$48,494,940</b>	<b>\$18,221,711</b>	<b>\$28,019,637</b>	<b>\$2,253,592</b>	<b>\$0</b>	<b>261.6</b>

ADMINISTRATION AND TECHNOLOGY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 20-1368	(125,230)	(125,230)	0	0	0	0.0
<b>TOTAL</b>	<b>\$48,369,710</b>	<b>\$18,096,481</b>	<b>\$28,019,637</b>	<b>\$2,253,592</b>	<b>\$0</b>	<b>261.6</b>
<b>INCREASE/(DECREASE)</b>	<b>\$1,732,893</b>	<b>(\$2,392,589)</b>	<b>\$4,455,343</b>	<b>(\$329,861)</b>	<b>\$0</b>	<b>6.4</b>
Percentage Change	3.7%	(11.7%)	18.9%	(12.8%)	n/a	2.5%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1249 provides \$283,340 General Fund for the cost of implementing S.B. 19-108 (Juvenile Justice Reform) and \$203,612 General Fund to fix the appropriation in S.B. 19-036 (State Court Administrator Reminder Program).

House Bill 20-1360 includes a budget balancing measure based on Judicial reversions that reduces General Fund appropriations to *General Courts Administration* on a one time basis by \$1,322,191, a decrease that is partially offset by an increase of \$661,096 cash funds from the Judicial Department Information Technology Cash Fund. The adjustment is based on projected reversions from the line item.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions.

ANNUALIZE PRIOR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Merit pay	\$705,236	\$705,236	\$0	\$0	\$0	0.0
FY 19-20 One-time reductions	661,095	1,322,191	(661,096)	0	0	0.0
FY 19-20 Distance learning specialists	69,871	69,871	0	0	0	0.0
FY 19-20 Audio visual technical staff and administrative support	11,694	11,694	0	0	0	0.0
FY 19-20 Salary survey	9,461	9,461	0	0	0	0.0
FY 19-20 Add probation officers and supporting staff	8,970	8,970	0	0	0	0.0
FY 19-20 Centralized Legal Research Team	780	780	0	0	0	0.0
<b>TOTAL</b>	<b>\$1,467,107</b>	<b>\$2,128,203</b>	<b>(\$661,096)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**KRONOS AND DOCUSIGN SOFTWARE SERVICES:** The appropriation provides \$334,348 General Fund to replace an aging time keeping system that is producing incorrect results and acquire software to increase contracting efficiency.

**CONTRACT MANAGEMENT OFFICE:** The appropriation provides \$305,872 General Fund for a contract management office that will deal with material deficiencies in the Department's contracting and procurement procedures.

**PROBATION – PROCUREMENT, OFFICERS, AND TREATMENT:** The appropriation provides \$300,000 cash funds for added probation officers and treatment. The Department has a sufficient FTE appropriation so no added FTE are needed.

**MOVE AND ADJUST APPROPRIATION FOR SB 19-108 (JUVENILE JUSTICE REFORM):** The appropriation corrects an error in the appropriation clause for S.B. 19-108, increasing appropriations in this division by \$11,338 General Fund.

**RAISE E-FILING FEES:** The appropriation provides the Department with \$5,500,000 of cash funds spending authority that will allow it to increase electronic filing fees and use the money to reduce General Fund appropriations by \$5,500,000.

**TECHNICAL ADJUSTMENTS:** The appropriation makes a number of technical adjustments that increase FTE by 1.5 in this division.

**INDIRECT COST ASSESSMENT:** The appropriation includes adjustments based on the Department's indirect cost assessment plan.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1229 Preservation of abandoned estate documents	\$125,230	\$125,230	\$0	\$0	\$0	0.0
SB 18-200 PERA	112,140	112,140	0	0	0	0.0
SB 19-043 Increase number of district court judges	24,075	24,075	0	0	0	0.1
HB 19-1263 Offense level for controlled substance possession	3,025	3,025	0	0	0	0.0
SB 19-223 Competency to proceed	1,650	1,650	0	0	0	0.0
SB 19-108 Juvenile justice reform	275	275	0	0	0	0.0
HB 19-1275 Criminal record sealing	275	275	0	0	0	0.0
HB 19-1310 Interest on orders of restitution	(220,480)	0	(220,480)	0	0	0.0
SB 19-036 Court Reminder Program	(94,308)	(94,308)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$48,118)</b>	<b>\$172,362</b>	<b>(\$220,480)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.1</b>

**EXECUTIVE TRAINING AND EDUCATION:** The appropriation makes adjustments in several divisions that taken together provides \$500,000 less General Fund for executive education and training. The reductions include a decrease of \$20,000 in this subdivision.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes reduced payments related to vehicle lease.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## CENTRAL APPROPRIATIONS

This Long Bill subsection of the Courts Administration section includes funding related to employee benefits, leased space, and services purchased from other agencies such as legal and technology services. Significant sources of cash funds include the following: payments and fees that are credited to the Offender Services Fund and the Alcohol and Drug Driving Safety Program Fund; fees and cost recoveries that are credited to the Judicial Department Information Technology Cash Fund; and time payment and late penalty fees credited to the Judicial Collection Enhancement Fund.

CENTRAL APPROPRIATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$96,711,732	\$90,473,146	\$6,238,586	\$0	\$0	0.0
SB 19-043	591,104	591,104	0	0	0	0.0
<b>TOTAL</b>	<b>\$97,302,836</b>	<b>\$91,064,250</b>	<b>\$6,238,586</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

CENTRAL APPROPRIATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$97,302,836	\$91,064,250	\$6,238,586	\$0	\$0	0.0
Carr Center debt service adjustments	48,360	48,360	0	0	0	0.0
Contract management office	23,898	23,898	0	0	0	0.0
Annualize prior budget actions	(10,091,865)	(9,514,294)	(577,571)	0	0	0.0
Centrally appropriated line items	(5,674,962)	(5,395,718)	(279,244)	0	0	0.0
<b>HB 20-1360</b>	<b>\$81,608,267</b>	<b>\$76,226,496</b>	<b>\$5,381,771</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
HB 20-1379	(8,470,053)	(7,850,176)	(619,877)	0	0	0.0
<b>TOTAL</b>	<b>\$73,138,214</b>	<b>\$68,376,320</b>	<b>\$4,761,894</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	(\$24,164,622)	(\$22,687,930)	(\$1,476,692)	\$0	\$0	0.0
Percentage Change	(24.8%)	(24.9%)	(23.7%)	n/a	n/a	n/a

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**CARR CENTER DEBT SERVICE ADJUSTMENTS:** The appropriation adjusts Carr Center debt service payments, resulting an increase of \$48,360 General Fund in this subdivision.

**CONTRACT MANAGEMENT OFFICE:** The appropriation provides \$23,898 General Fund for a contract management office that will deal with material deficiencies in the Department's contracting and procurement procedures.

**ANNUALIZE PRIOR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions.

ANNUALIZE PRIOR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Merit pay	(\$8,601,771)	(\$8,045,089)	(\$556,682)	\$0	\$0	0.0
FY 19-20 Salary survey	(1,142,149)	(1,121,260)	(20,889)	0	0	0.0
FY 19-20 Add probation officers and supporting staff	(193,807)	(193,807)	0	0	0	0.0
FY 19-20 Distance learning specialists	(130,548)	(130,548)	0	0	0	0.0
FY 19-20 Centralized Legal Research Team	(14,154)	(14,154)	0	0	0	0.0
FY 19-20 Audio visual technical staff and administrative support	(9,436)	(9,436)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$10,091,865)</b>	<b>(\$9,514,294)</b>	<b>(\$577,571)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes the following adjustments to centrally appropriated line items: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; workers' compensation; legal services; payment to risk management and property funds; vehicle lease payments; capital outlay; payments to the Governor's Office of Information Technology (OIT); and CORE operations. As a budget balancing measure, the appropriation includes a \$10,616,874 General Fund Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction for the main part of the Judicial Branch.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## CENTRALLY ADMINISTERED PROGRAMS

This Long Bill subsection of the Courts Administration section includes various programs and distributions that are administered by the Office of the State Court Administrator for the benefit of the courts, probation, and administrative functions.

Significant sources of cash funds include the following: the Victims and Witnesses Assistance and Law Enforcement Fund; the Crime Victim Compensation Fund; time payment and late penalty fees credited to the Judicial Collection Enhancement Fund; fines credited to the Fines Collection Cash Fund; docket fees credited to the Judicial Stabilization Cash Fund and the State Commission on Judicial Performance Cash Fund; fees and cost recoveries that are credited to the Judicial Department Information Technology Cash Fund; various fees and cost recovery charges paid by court system users; surcharges credited to the Court Security Cash Fund and the Family-Friendly Court Program Cash Fund; and fees for divorce proceedings credited to the Family Violence Justice Fund. Reappropriated funds include: General Fund that is appropriated to the Underfunded Courthouse Facility Cash Fund; local victim assistance funds transferred from the Trial Courts section; and federal child support enforcement funds that are transferred from the Department of Human Services.

CENTRALLY ADMINISTERED PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$73,291,133	\$21,390,227	\$47,758,651	\$4,142,255	\$0	208.3
SB 19-043	1,671,645	1,671,645	0	0	0	0.0
SB 19-180	1,500,000	750,000	750,000	0	0	0.0
SB 19-211	442,543	442,543	0	0	0	0.0
SB 19-223	180,636	180,636	0	0	0	0.0
HB 20-1249	(1,325,522)	(1,325,522)	0	0	0	1.0
HB 20-1360	(1,970,665)	(1,970,665)	0	0	0	0.0
HB 20-1410	350,000	0	350,000	0	0	0.0
<b>TOTAL</b>	<b>\$74,139,770</b>	<b>\$21,138,864</b>	<b>\$48,858,651</b>	<b>\$4,142,255</b>	<b>\$0</b>	<b>209.3</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$74,139,770	\$21,138,864	\$48,858,651	\$4,142,255	\$0	209.3
Courthouse furnishings and infrastructure maintenance	3,270,406	3,270,406	0	0	0	0.0
Increase cash funds for Family-friendly Court Program Grants	44,057	0	44,057	0	0	0.0
Magistrates	30,000	30,000	0	0	0	0.0
Judicial Performance review adjustments	0	(100,000)	100,000	0	0	0.0
Bridges program FTE	0	0	0	0	0	8.0
Fund source adjustment	0	0	(750,000)	750,000	0	0.0
Underfunded Courthouse Facilities Grant Program	(2,500,000)	(2,500,000)	0	0	0	0.0
Annualize prior year legislation	(2,140,357)	(1,821,698)	(318,659)	0	0	0.0
Annualize prior year budget actions	(1,687,228)	(1,883,731)	196,503	0	0	1.0
Mental Health Criminal Justice Diversion Grant Program	(1,095,573)	(1,095,573)	0	0	0	0.0
Technical adjustments	(563,974)	(635,306)	71,332	0	0	(7.4)
Judicial Education	(506,650)	(36,650)	(470,000)	0	0	0.0
Family Violence Justice Grants	(500,000)	(500,000)	0	0	0	0.0
Executive training and education	(480,000)	(23,944)	(456,056)	0	0	0.0
Problem Solving Courts	(359,000)	(231,839)	(127,161)	0	0	0.0
Adult Pre-Trial Diversion Program	(300,000)	(300,000)	0	0	0	0.0
Eviction Legal Defense Fund	(300,000)	(150,000)	0	(150,000)	0	0.0
Court Liaison Program	(263,000)	(263,000)	0	0	0	0.0
Reduce and refinance courthouse security grants	(229,465)	(379,465)	150,000	0	0	0.0
<b>HB 20-1360</b>	<b>\$66,558,986</b>	<b>\$14,518,064</b>	<b>\$47,298,667</b>	<b>\$4,742,255</b>	<b>\$0</b>	<b>210.9</b>
<b>TOTAL</b>	<b>\$66,558,986</b>	<b>\$14,518,064</b>	<b>\$47,298,667</b>	<b>\$4,742,255</b>	<b>\$0</b>	<b>210.9</b>
<b>INCREASE/(DECREASE)</b>						
	(\$7,580,784)	(\$6,620,800)	(\$1,559,984)	\$600,000	\$0	1.6
Percentage Change	(10.2%)	(31.3%)	(3.2%)	14.5%	n/a	0.8%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1249 includes a reduction of \$1,325,522 General Fund for *Courthouse Furnishings and Infrastructure Maintenance*.

House Bill 20-1360 includes a budget balancing measure based on Judicial reversions that reduces General Fund appropriations in this division by \$1,970,665, distributed as follows:

- \$600,000 from language interpreter services;
- \$470,665 from problem solving courts;
- \$750,000 from the Mental Health Criminal Justice Diversion Grant Program; and
- \$150,000 from the Statewide Behavioral Health Court Liaison Program.

House Bill 20-1410 (COVID-19 Related housing assistance) transfers \$350,000 from the CARE Subfund in the General Fund to the Pandemic Subaccount of the Eviction Legal Defense Fund, a subaccount that is created by the bill in the Judicial Department. For FY 2019-20 it appropriates \$350,000 cash funds from the Pandemic Subaccount to the Eviction Legal Defense Grant Program to provide legal assistance to indigent tenants facing eviction related to the COVID-19 pandemic.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**COURTHOUSE FURNISHINGS AND INFRASTRUCTURE MAINTENANCE:** The appropriation provides \$3,270,406 General Fund for courthouse furnishings and infrastructure maintenance at several county courts that are modifying their courthouses.

**INCREASE CASH FUNDS FOR FAMILY-FRIENDLY COURT PROGRAM GRANTS:** The appropriation provides \$44,057 additional cash funds for Family-friendly Court Program Grants.

**MAGISTRATES:** The appropriation includes an increase of \$30,000 General Fund to correct a technical error related to the appropriation for trial courts.

**JUDICIAL PERFORMANCE REVIEW ADJUSTMENTS:** The appropriation uses \$100,000 cash funds to replace the same amount of General Fund in the Office of Judicial Performance Evaluation.

**BRIDGES PROGRAM FTE:** The appropriation provides 8.0 FTE and no funding for the Statewide Behavioral Health Court Liaison Program, which is also known as the Bridges program. The Department is having a difficult time hiring contractors to serve as liaisons and these FTE will allow it to hire state FTE to serve as liaisons. Costs are not expected to increase.

**FUND SOURCE ADJUSTMENT:** The appropriation corrects the fund source for Eviction Legal Defense Program appropriations.

**UNDERFUNDED COURTHOUSE FACILITIES GRANT PROGRAM:** The appropriation reduces appropriations for the Underfunded Courthouse Facilities Grant Program by \$2.5 million General Fund.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$61,924	\$30,583	\$31,341	\$0	\$0	0.0
SB 19-043 Increase number of district court judges	(1,671,645)	(1,671,645)	0	0	0	0.0
HB 20-1410 COVID-19 related housing assistance	(350,000)	0	(350,000)	0	0	0.0
SB 19-223 Competency to proceed	(180,636)	(180,636)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$2,140,357)</b>	<b>(\$1,821,698)</b>	<b>(\$318,659)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions.

ANNUALIZE PRIOR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 One-time reductions	\$1,970,665	\$1,970,665	\$0	\$0	\$0	0.0
FY 19-20 Merit pay	470,568	274,065	196,503	0	0	0.0
FY 19-20 Salary survey	6,929	6,929	0	0	0	0.0
FY 19-20 1.0 FTE annualized to 2.0 FTE in supplemental	0	0	0	0	0	1.0
FY 19-20 Courthouse capital	(4,135,390)	(4,135,390)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$1,687,228)</b>	<b>(\$1,883,731)</b>	<b>\$196,503</b>	<b>\$0</b>	<b>\$0</b>	<b>1.0</b>

**MENTAL HEALTH CRIMINAL JUSTICE DIVERSION GRANT PROGRAM:** The appropriation provides \$1,095,573 less General Fund for the Mental Health Criminal Justice Diversion Grant Program.

**TECHNICAL ADJUSTMENTS:** The appropriation makes a number of technical adjustments that result in a decrease of \$635,306 General Fund, an increase of \$71,332 cash funds, and 7.4 fewer FTE in this subdivision.

**JUDICIAL EDUCATION:** The appropriation provides \$506,650 less total funds (including \$36,650 less General Fund) for judicial education and training.

**FAMILY VIOLENCE JUSTICE GRANTS:** The appropriation provides \$500,000 less General Fund for Family Violence Justice Grants.

**EXECUTIVE TRAINING AND EDUCATION:** The appropriation makes adjustments in several divisions that taken together provides \$500,000 less General Fund for executive education and training and in this division provide \$23,944 less General Fund.

**PROBLEM SOLVING COURTS:** The appropriation reduces the appropriation for Problem Solving Courts by \$359,000 total funds, including \$231,839 General Fund.

**ADULT PRE-TRIAL DIVERSION PROGRAM:** The appropriation provides \$300,000 less General Fund for adult pre-trial diversion program grants to district attorneys.

**EVICTON LEGAL DEFENSE FUND:** The appropriation reduces grants by the Eviction Legal Defense Fund by \$150,000. The total reduction is \$300,000 because the General Fund appropriation to the Eviction Legal Defense Fund is also reduced by \$150,000.

**COURT LIAISON PROGRAM:** The appropriation reduces the Court Liaison Program by \$263,000 General Fund.

**REDUCE AND REFINANCE COURTHOUSE SECURITY GRANTS:** The appropriation reduces courthouse grants by \$229,465 total funds, including a reduction of \$379,465 General Fund that is partially offset by an increase of \$150,000 cash funds.



**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## RALPH L. CARR COLORADO JUDICIAL CENTER

This Long Bill subsection of the Courts Administration section includes appropriations related to the operations of the Ralph L. Carr Colorado Judicial Center. The source of funding is the Justice Center Cash Fund, which consists of docket fees, lease payments from Carr Center tenants, and parking fees paid by employees and members of the public who utilize the Carr Center parking garage. Reappropriated funds reflect transfers from the Department of Law and the State Court Administrator's Office (from an appropriation in the Central Appropriations subsection above) for leased space in the Carr Center. The remaining sources of revenue are reflected as cash fund appropriations, and they include: fee revenue that is used to pay for the Supreme Court and Court of Appeals areas of the Carr Center.

RALPH L. CARR COLORADO JUDICIAL CENTER						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$33,882,319	\$4,492,915	\$21,547,917	\$7,841,487	\$0	2.0
<b>TOTAL</b>	<b>\$33,882,319</b>	<b>\$4,492,915</b>	<b>\$21,547,917</b>	<b>\$7,841,487</b>	<b>\$0</b>	<b>2.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$33,882,319	\$4,492,915	\$21,547,917	\$7,841,487	\$0	2.0
Annualize prior year budget actions	8,074	0	8,074	0	0	0.0
Annualize prior year legislation	664	0	664	0	0	0.0
Carr Center debt service adjustments	(7,152,691)	(3,609,497)	(3,652,690)	109,496	0	0.0
Carr Center maintenance adjustment	(3,600,000)	0	(3,100,000)	(500,000)	0	0.0
<b>HB 20-1360</b>	<b>\$23,138,366</b>	<b>\$883,418</b>	<b>\$14,803,965</b>	<b>\$7,450,983</b>	<b>\$0</b>	<b>2.0</b>
<b>TOTAL</b>	<b>\$23,138,366</b>	<b>\$883,418</b>	<b>\$14,803,965</b>	<b>\$7,450,983</b>	<b>\$0</b>	<b>2.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$10,743,953)</b>	<b>(\$3,609,497)</b>	<b>(\$6,743,952)</b>	<b>(\$390,504)</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	(31.7%)	(80.3%)	(31.3%)	(5.0%)	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation annualizes FY 2019-20 merit pay.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation provides \$664 cash funds to annualize S.B. 18-200 (PERA).

**CARR CENTER DEBT SERVICE ADJUSTMENTS:** Due to several adjustments the Department has made regarding its debt service payments for the Carr Center, the General Fund appropriation for debt services has been reduced by \$7.2 million total funds, including \$3.6 million General Fund.

**CARR CENTER MAINTENANCE ADJUSTMENT:** The appropriation provides \$3.6 million less total funds for Carr Center maintenance and controlled maintenance.

## TRIAL COURTS

This Long Bill section provides funding for operation of the State trial courts, which include district courts in 22 judicial districts, water courts, and county courts (excluding the Denver county court). This section also provides funding to reimburse district attorneys for “mandated costs” incurred for prosecution of state matters as well as the

ACTION case management and the statewide discovery sharing systems, which are operated by the Colorado District Attorneys' Council.

*District courts* hear civil cases involving any dollar amount, as well as domestic relations, felony criminal, juvenile, probate, and mental health cases. In addition, district courts handle appeals from municipal and county courts, and review decisions of administrative boards and agencies. Within the district court system, the General Assembly established seven water divisions in the State based on the drainage patterns of major rivers in Colorado. Each water division is staffed by a division engineer, a district court judge who is designated as the water judge by the Colorado Supreme Court, a water referee appointed by the water judge, and a water clerk assigned by the district court. Water judges have exclusive jurisdiction over cases involving the determination of water rights and the use and administration of water. The General Assembly establishes judicial districts and the number of judges for each district in statute; these judges serve renewable six-year terms. During FY 2018-19, 224,956 new cases were filed in district courts, including water courts.

*County courts* have limited jurisdiction, handling civil actions involving no more than \$25,000, misdemeanor cases, civil and criminal traffic infractions, and felony complaints. County courts also issue search warrants and protection orders in cases involving domestic violence. In addition, county courts handle appeals from municipal courts. The General Assembly establishes the number of judges for each county in statute, with each county having at least one; these judges serve renewable four-year terms. During FY 2018-19 a total of 412,806 new cases were filed in county courts. County court judges in smaller counties frequently serve on a part-time basis.

Significant cash fund sources include court docket fees that are credited to the Judicial Stabilization Cash Fund, various fees and cost recovery charges paid by court system users, and grants. Reappropriated funds include funds transferred from other state agencies.

TRIAL COURTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$179,809,239	\$145,303,428	\$30,630,811	\$2,250,000	\$1,625,000	1,872.1
SB 19-030	543,461	543,461	0	0	0	4.8
SB 19-043	3,697,132	3,697,132	0	0	0	38.8
SB 19-223	499,934	499,934	0	0	0	5.4
HB 19-1177	119,392	119,392	0	0	0	0.0
HB 19-1263	(48,730)	(48,730)	0	0	0	(0.4)
HB 19-1275	47,361	0	47,361	0	0	0.8
HB 20-1249	418,780	388,780	30,000	0	0	0.0
HB 20-1360	(1,555,767)	(2,811,534)	1,255,767	0	0	0.0
<b>TOTAL</b>	<b>\$183,530,802</b>	<b>\$147,691,863</b>	<b>\$31,963,939</b>	<b>\$2,250,000</b>	<b>\$1,625,000</b>	<b>1,921.5</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$183,530,802	\$147,691,863	\$31,963,939	\$2,250,000	\$1,625,000	1,921.5
Annualize prior year budget actions	6,858,870	8,097,350	(1,238,480)	0	0	0.0
Annualize prior year legislation	2,568,452	2,573,155	(4,703)	0	0	20.8
Technical adjustments	546,706	618,038	(71,332)	0	0	5.9
CDAC District attorney mandated costs	30,000	0	30,000	0	0	0.0
Executive training and education	0	(456,056)	456,056	0	0	0.0
FTE adjustment for judges in small counties	0	0	0	0	0	1.3
Trial court reductions and refinance	(1,950,000)	(7,497,161)	5,547,161	0	0	0.0
Centrally appropriated line items	(4,244)	(4,244)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$191,580,586</b>	<b>\$151,022,945</b>	<b>\$36,682,641</b>	<b>\$2,250,000</b>	<b>\$1,625,000</b>	<b>1,949.5</b>
HB 20-1368	(28,147)	(28,147)	0	0	0	0.0
HB 20-1394	(2,431,835)	(2,431,835)	0	0	0	0.0
<b>TOTAL</b>	<b>\$189,120,604</b>	<b>\$148,562,963</b>	<b>\$36,682,641</b>	<b>\$2,250,000</b>	<b>\$1,625,000</b>	<b>1,949.5</b>

TRIAL COURTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>INCREASE/(DECREASE)</b>	\$5,589,802	\$871,100	\$4,718,702	\$0	\$0	28.0
Percentage Change	3.0%	0.6%	14.8%	0.0%	0.0%	1.5%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1249 provides \$250,860 General Fund for *Court Costs, Jury Costs, and Court-appointed Counsel*, \$137,920 General Fund for the 18<sup>th</sup> Judicial District Attorney to prosecute the STEM school shooting case, and a \$30,000 cash funds appropriation to permit District Attorneys around the state to expend additional revenue that they are or are likely to receive.

House Bill 20-1360 includes a budget balancing measure based on Judicial reversions that reduces the General Fund appropriations for *Court Costs, Jury Costs, and Court Appointed Counsel* by \$300,000, and reduces the General Fund appropriation for *Trial Court Programs* by \$2,511,534, partially offsetting the latter reduction with a \$1,255,767 increase from the Judicial Stabilization Cash Fund.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Merit pay	\$4,503,671	\$4,464,969	\$38,702	\$0	\$0	0.0
FY 19-20 One-time reductions	1,555,767	2,811,534	(1,255,767)	0	0	0.0
FY 19-20 Salary survey	986,667	978,082	8,585	0	0	0.0
FY 19-20 Eliminate one-time appropriation for District Attorney mandated costs	(167,920)	(137,920)	(30,000)	0	0	0.0
FY 19-20 Centralized Legal Research Team	(19,315)	(19,315)	0	0	0	0.0
<b>TOTAL</b>	<b>\$6,858,870</b>	<b>\$8,097,350</b>	<b>(\$1,238,480)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 19-043 Increase number of district court judges	\$1,797,616	\$1,797,616	\$0	\$0	\$0	21.2
SB 18-200 PERA	760,334	760,334	0	0	0	0.0
HB 19-1177 Extreme risk protection orders	119,392	119,392	0	0	0	0.0
SB 19-223 Competency to proceed	66,959	66,959	0	0	0	0.6
HB 19-1229 Preservation of abandoned estate documents	28,147	28,147	0	0	0	0.3
HB 19-1263 Offense level for controlled substance possession	(133,367)	(133,367)	0	0	0	(1.6)
SB 19-030 Remedying improper guilty pleas	(65,926)	(65,926)	0	0	0	0.3
HB 19-1275 Criminal record sealing	(4,703)	0	(4,703)	0	0	0.0
<b>TOTAL</b>	<b>\$2,568,452</b>	<b>\$2,573,155</b>	<b>(\$4,703)</b>	<b>\$0</b>	<b>\$0</b>	<b>20.8</b>

**TECHNICAL ADJUSTMENTS:** The appropriation makes a number of technical adjustments that result in an increase of \$618,038 General Fund, a decrease of \$71,332 cash funds, and 5.9 more FTE in this division.

**CDAC DISTRICT ATTORNEY MANDATED COSTS:** The appropriation provides \$30,000 additional cash funds for District Attorneys. The money flows through the Colorado District Attorney's Council (CDAC).

**EXECUTIVE TRAINING AND EDUCATION:** The appropriation makes adjustments in several divisions that collectively provides \$500,000 less General Fund for executive education and training, including a decrease of \$456,056 General Fund in this division that is offset by an increase of that amount of cash funds.

**FTE ADJUSTMENT FOR JUDGES IN SMALL COUNTIES:** The appropriation provide 1.3 FTE and no funding so the Department can adjust the fractional allocation of FTE for county court judges in a number of small counties where judge workload has increased.

**TRIAL COURT REDUCTIONS AND REFINANCE:** Through a combination of spending reductions and refinance with cash funds, the appropriation reduces General Fund appropriations for trial courts by \$7,497,161.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation reduces General Fund for fleet vehicles by \$4,244.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

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## PROBATION AND RELATED SERVICES

This Long Bill section provides funding for probation officers and staff, as well as services that are provided to offenders on probation or related to the probation function. Persons convicted of certain offenses are eligible to apply to the court for probation. An offender on probation serves a sentence in the community under the supervision of a probation officer, subject to conditions imposed by the court. A breach of any imposed condition may result in revocation or modification of probation, or incarceration. As of June 30, 2019, a total of 77,989 individuals who were sentenced to probation were under supervision. Managed by the Chief Probation Officer in each judicial district, approximately 1,300 employees prepare assessments and provide pre-sentence investigation services to the courts, supervise adult and juvenile offenders sentenced to community programs, and provide notification and support services to victims. The Chief Probation Officer is supervised by the Chief Judge in each district. Investigation and supervision services are provided based on priorities established by the Chief Justice and each offender's risk of re-offending.

Cash fund sources include: payments and fees that are credited to the Offender Services Fund, the Correctional Treatment Cash Fund, the Alcohol and Drug Driving Safety Program Fund, the Sex Offender Surcharge Fund, the Interstate Compact Probation Transfer Cash Fund, and the Offender Identification Fund; the Marijuana Tax Cash Fund; and various fees, cost recoveries, and grants. Sources of reappropriated funds include: General Fund that is appropriated to the Correctional Treatment Cash Fund; Victims and Witnesses Assistance and Law Enforcement Board grants that are transferred from the Courts Administration section; and transfers from other state agencies.

PROBATION AND RELATED SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$163,776,426	\$99,782,140	\$28,443,489	\$32,750,797	\$2,800,000	1,297.2
SB 19-108	68,598	68,598	0	0	0	0.8
HB 19-1263	123,139	123,139	0	0	0	0.8
HB 20-1360	(442,294)	(884,588)	442,294	0	0	0.0
<b>TOTAL</b>	<b>\$163,525,869</b>	<b>\$99,089,289</b>	<b>\$28,885,783</b>	<b>\$32,750,797</b>	<b>\$2,800,000</b>	<b>1,298.8</b>

PROBATION AND RELATED SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$163,525,869	\$99,089,289	\$28,885,783	\$32,750,797	\$2,800,000	1,298.8
Annualize prior year budget actions	3,039,711	3,156,298	(116,587)	0	0	0.0
Annualize prior year legislation	999,914	946,874	53,040	0	0	8.8
Probation -- procurement, officers, and treatment	550,102	0	460,000	90,102	0	0.0
Increase OBH funding from Alcohol and Drug Driving Safety Program Fund	281,746	0	281,746	0	0	0.0
Indirect cost assessment	228,671	0	228,671	0	0	0.0
Correctional Treatment Cash Fund expenditures	181,941	0	0	181,941	0	0.0
Appropriation to Correctional Treatment Cash Fund	(2,500,000)	(2,500,000)	0	0	0	0.0
Technical adjustments	(736,529)	(46,631)	0	(689,898)	0	(10.0)
Provider rate decrease	(369,992)	(166,010)	(164,028)	(39,954)	0	0.0
Probation adjustments	(200,000)	(1,600,000)	1,400,000	0	0	0.0
Move and adjust appropriation for SB 19-108 (Juvenile Justice Reform)	(68,598)	(68,598)	0	0	0	(0.8)
<b>HB 20-1360</b>	<b>\$164,932,835</b>	<b>\$98,811,222</b>	<b>\$31,028,625</b>	<b>\$32,292,988</b>	<b>\$2,800,000</b>	<b>1,296.8</b>
<b>TOTAL</b>	<b>\$164,932,835</b>	<b>\$98,811,222</b>	<b>\$31,028,625</b>	<b>\$32,292,988</b>	<b>\$2,800,000</b>	<b>1,296.8</b>
<b>INCREASE/(DECREASE)</b>	<b>\$1,406,966</b>	<b>(\$278,067)</b>	<b>\$2,142,842</b>	<b>(\$457,809)</b>	<b>\$0</b>	<b>(2.0)</b>
Percentage Change	0.9%	(0.3%)	7.4%	(1.4%)	0.0%	(0.2%)

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1360 includes a budget balancing measure based on Judicial reversions that reduces the General Fund appropriations for *Probation Programs* by \$884,588, partially offsetting the reduction with a \$442,294 increase from the Offender Services Fund.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out-year impacts of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Merit pay	\$2,468,342	\$2,154,939	\$313,403	\$0	\$0	0.0
FY 19-20 Add probation officers and supporting staff	1,380,291	1,380,291	0	0	0	12.5
FY 19-20 One-time reductions	442,294	884,588	(442,294)	0	0	0.0
FY 19-20 Salary survey	129,075	116,771	12,304	0	0	0.0
FY 19-20 Add probation officers and supporting staff	(1,380,291)	(1,380,291)	0	0	0	(12.5)
<b>TOTAL</b>	<b>\$3,039,711</b>	<b>\$3,156,298</b>	<b>(\$116,587)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for out-year impacts of prior year legislation.

## ANNUALIZE PRIOR YEAR LEGISLATION

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1263 Offense level for controlled substance possession	\$564,151	\$564,151	\$0	\$0	\$0	8.8
SB 18-200 PERA	435,763	382,723	53,040	0	0	0.0
<b>TOTAL</b>	<b>\$999,914</b>	<b>\$946,874</b>	<b>\$53,040</b>	<b>\$0</b>	<b>\$0</b>	<b>8.8</b>

**PROBATION – PROCUREMENT, OFFICERS, AND TREATMENT:** The appropriation provides \$550,102 cash and reappropriated funds for added probation officers and treatment. The Department has a sufficient FTE appropriation so no added FTE are needed.

**INCREASE OBH FUNDING FROM ALCOHOL AND DRUG DRIVING SAFETY PROGRAM FUND:** The appropriation increases by \$281,746 cash funds, the amount of money from the Alcohol and Drug Driving Safety Program Fund that is transferred to the Office of Behavioral Health (OBH) in the Department of Human services, where it appears as a reappropriation.

**INDIRECT COST ASSESSMENT:** The appropriation includes adjustments to the Department’s indirect cost plan.

**CORRECTIONAL TREATMENT CASH FUND EXPENDITURES:** The appropriation increases by \$181,941 reappropriated funds, expenditures from the Correctional Treatment Cash Fund, using fund balance to support the increase.

**APPROPRIATION TO CORRECTIONAL TREATMENT CASH FUND:** The appropriation reduces appropriations to the Correctional Treatment Cash Fund by \$2.5 million General Fund. However, by using fund balance and reducing administrative expenses, grants from the fund are not expected to decline.

**TECHNICAL ADJUSTMENTS:** The appropriation makes a number of technical adjustments that result in decreases of \$736,529 total funds, including \$46,631 General Fund and \$689,898 reappropriated funds, and 10.0 FTE in this division.

**PROVIDER RATE DECREASE:** The appropriation reduces appropriations by \$369,992 total funds, including \$166,010 General Fund, due to the 1 percent common policy provider rate decrease.

**PROBATION ADJUSTMENTS:** The appropriation makes various adjustments to probation programs that reduce General Fund appropriations by \$1.6 million, partially replacing them with \$1.4 million cash funds.

**MOVE AND ADJUST APPROPRIATION FOR SB 19-108 (JUVENILE JUSTICE REFORM):** The appropriation corrects an error in the appropriation clause for S.B. 19-108, decreasing General Fund appropriations in this division by \$68,598.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## OFFICE OF THE STATE PUBLIC DEFENDER

The Office of the State Public Defender (OSPD) is an independent agency that provides legal representation for indigent defendants who are facing the possibility of incarceration. The OSPD provides representation through employees who are located around the state. The OSPD is comprised of a central administrative office, an appellate office, and 21 regional trial offices. The OSPD provided legal representation in 185,772 active cases in FY 2018-19. Cash fund sources include grants and training fees.

OFFICE OF THE STATE PUBLIC DEFENDER						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$105,995,438	\$105,940,438	\$55,000	\$0	\$0	875.1
SB 19-043	1,346,977	1,346,977	0	0	0	14.0
SB 19-223	50,000	50,000	0	0	0	0.0
HB 20-1360	(500,000)	(500,000)	0	0	0	0.0
<b>TOTAL</b>	<b>\$106,892,415</b>	<b>\$106,837,415</b>	<b>\$55,000</b>	<b>\$0</b>	<b>\$0</b>	<b>889.1</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$106,892,415	\$106,837,415	\$55,000	\$0	\$0	889.1
OSPD Staffing needs	2,868,888	2,868,888	0	0	0	28.8
Annualize prior year legislation	647,055	647,055	0	0	0	5.9
Annualize prior year budget actions	517,524	517,524	0	0	0	0.5
OSPD IT	448,846	448,846	0	0	0	0.0
OSPD Mandated costs	431,712	431,712	0	0	0	0.0
OSPD Leases	165,103	165,103	0	0	0	0.0
OSPD Grant funding from Denver	85,000	0	85,000	0	0	0.8
Centrally appropriated line items	(3,785,974)	(3,785,974)	0	0	0	0.0
Non-prioritized requests	(14,083)	(14,083)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$108,256,486</b>	<b>\$108,116,486</b>	<b>\$140,000</b>	<b>\$0</b>	<b>\$0</b>	<b>925.1</b>
<b>TOTAL</b>	<b>\$108,256,486</b>	<b>\$108,116,486</b>	<b>\$140,000</b>	<b>\$0</b>	<b>\$0</b>	<b>925.1</b>
<b>INCREASE/(DECREASE)</b>	<b>\$1,364,071</b>	<b>\$1,279,071</b>	<b>\$85,000</b>	<b>\$0</b>	<b>\$0</b>	<b>36.0</b>
Percentage Change	1.3%	1.2%	154.5%	n/a	n/a	4.0%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1360 includes a budget balancing measure based on Judicial reversions that reduces the General Fund appropriations for *Personal Services* by \$500,000.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**OSPD STAFFING NEEDS:** The appropriation provides \$2,868,888 General Fund and 28.8 FTE for projected caseload increases at the OSPD.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 19-043 Increase number of district court judges	\$350,113	\$350,113	\$0	\$0	\$0	5.9
SB 18-200 PERA	346,942	346,942	0	0	0	0.0
SB 19-223 Competency to proceed	(50,000)	(50,000)	0	0	0	0.0
<b>TOTAL</b>	<b>\$647,055</b>	<b>\$647,055</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>5.9</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 One-time reductions	\$500,000	\$500,000	\$0	\$0	\$0	0.0
FY 19-20 OSPD Refinance Denver criminal court grant	15,496	15,496	0	0	0	0.3
FY 19-20 OSPD IT security	3,686	3,686	0	0	0	0.1

### ANNUALIZE PRIOR YEAR BUDGET ACTIONS

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	0	0	0	0	0	0.0
FY 19-20 Merit pay	0	0	0	0	0	0.0
FY 19-20 OSPD Arapahoe courtroom staffing	(1,658)	(1,658)	0	0	0	0.1
<b>TOTAL</b>	<b>\$517,524</b>	<b>\$517,524</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.5</b>

**OSPD IT:** The appropriation provides \$448,846 General Fund for the OSPD to increase its information technology (IT) capacity to handle the increasing amounts of electronic evidence that it is receiving.

**OSPD MANDATED COSTS:** The appropriation provides \$431,712 General Fund for added mandated costs at the OSPD, which are a consequence of caseload growth.

**OSPD LEASES:** The appropriation provides \$165,103 General Fund for increased lease expenses at the OSPD. A number of 10-year-old leases are coming up for renewal.

**OSPD GRANT FUNDING FROM DENVER:** The appropriation provides \$85,000 cash funds to create a specialty court in Denver that will focus on children who use guns when they commit crimes. The cash funds trace to a grant that Denver received from the federal government.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items for the following: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; salary increase; and vehicle lease. As a budget balancing measure, the appropriation includes a \$3,908,564 General Fund Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction for the OSPD.

**NON-PRIORITIZED REQUESTS:** The appropriation includes a \$14,083 General Fund reduction for vehicle lease payments.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

### OFFICE OF THE ALTERNATE DEFENSE COUNSEL

The Office of Alternate Defense Counsel (OADC) is an independent agency that provides legal representation for indigent defendants in criminal and juvenile delinquency cases in which the Office of the State Public Defender is precluded from doing so because of an ethical conflict of interest. The OADC provides legal representation by contracting with licensed attorneys and investigators. The OADC paid for legal representation in 25,022 cases in FY 2018-19. Cash funds are from training fees.

### OFFICE OF THE ALTERNATE DEFENSE COUNSEL

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$48,139,361	\$48,059,361	\$80,000	\$0	\$0	15.9
SB 19-223	20,000	20,000	0	0	0	0.0
HB 20-1249	10,617	10,617	0	0	0	0.0
HB 20-1360	(2,225,997)	(2,225,997)	0	0	0	0.0
<b>TOTAL</b>	<b>\$45,943,981</b>	<b>\$45,863,981</b>	<b>\$80,000</b>	<b>\$0</b>	<b>\$0</b>	<b>15.9</b>



OFFICE OF THE ALTERNATE DEFENSE COUNSEL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$45,943,981	\$45,863,981	\$80,000	\$0	\$0	15.9
OADC Caseload increase	4,102,615	4,102,615	0	0	0	0.0
Annualize prior year budget actions	2,116,024	2,116,024	0	0	0	0.0
Centrally appropriated line items	(84,286)	(84,286)	0	0	0	0.0
Annualize prior year legislation	(10,952)	(10,952)	0	0	0	0.1
<b>HB 20-1360</b>	<b>\$52,067,382</b>	<b>\$51,987,382</b>	<b>\$80,000</b>	<b>\$0</b>	<b>\$0</b>	<b>16.0</b>
<b>TOTAL</b>	<b>\$52,067,382</b>	<b>\$51,987,382</b>	<b>\$80,000</b>	<b>\$0</b>	<b>\$0</b>	<b>16.0</b>
<b>INCREASE/(DECREASE)</b>	\$6,123,401	\$6,123,401	\$0	\$0	\$0	0.1
Percentage Change	13.3%	13.4%	0.0%	n/a	n/a	0.6%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1249 includes the following General Fund appropriations: \$6,087 for additional Westlaw licenses and \$4,530 for the FY 2019-20 PERA rate increase for employers in S.B. 18-200.

House Bill 20-1360 includes a budget balancing measure based on Judicial reversions that reduces the General Fund appropriations for *Conflict-of-interest Contracts* and *Mandated Costs* by \$2,225,997.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**OADC CASELOAD INCREASE:** The appropriation provides \$4,102,615 General Fund for projected caseload increases at the OADC.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 One-time reductions	\$2,225,997	\$2,225,997	\$0	\$0	\$0	0.0
FY 19-20 OADC Operating expense adjustment	(106,500)	(106,500)	0	0	0	0.0
FY 19-20 OADC Social worker outreach coordinator	(3,473)	(3,473)	0	0	0	0.0
<b>TOTAL</b>	<b>\$2,116,024</b>	<b>\$2,116,024</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items for the following: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; and salary increases. As a budget balancing measure, the appropriation includes a \$92,036 General Fund Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction for the OADC.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$9,335	\$9,335	\$0	\$0	\$0	0.0
SB 19-223 Competency to proceed	(20,000)	(20,000)	0	0	0	0.0

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18- 203 Conflict free representation in municipal courts	(287)	(287)	0	0	0	0.1
<b>TOTAL</b>	<b>(\$10,952)</b>	<b>(\$10,952)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.1</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## OFFICE OF THE CHILD'S REPRESENTATIVE

The Office of the Child's Representative (OCR) is an independent agency that is responsible for ensuring the provision of uniform, high-quality legal representation and non-legal advocacy to children involved in judicial proceedings. Generally, this includes representing children involved in the court system due to abuse or neglect, delinquency, truancy, high conflict divorce, alcohol or drug abuse, mental health issues, and probate matters. In most judicial districts, OCR provides legal representation by contracting with private attorneys or multi-disciplinary law offices. However, in El Paso County, the OCR employs attorneys and other staff to provide legal representation through a centralized office rather than through contracted services. The OCR paid for legal representation associated with 16,689 court appointments in FY 2018-19. Reappropriated funds are from federal funds transferred from the Department of Human Services.

OFFICE OF THE CHILD'S REPRESENTATIVE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$31,240,004	\$31,213,095	\$0	\$26,909	\$0	33.0
HB 19-1316	59,850	59,850	0	0	0	0.0
HB 20-1249	7,136	7,136	0	0	0	0.0
HB 20-1360	(1,540,000)	(1,540,000)	0	0	0	0.0
<b>TOTAL</b>	<b>\$29,766,990</b>	<b>\$29,740,081</b>	<b>\$0</b>	<b>\$26,909</b>	<b>\$0</b>	<b>33.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$29,766,990	\$29,740,081	\$0	\$26,909	\$0	33.0
OCR Title IV-E funding	1,481,902	0	0	1,481,902	0	0.0
Annualize prior year budget actions	1,426,545	1,426,545	0	0	0	0.0
OCR Staff attorney	171,858	0	0	171,858	0	1.0
OCR Make deputy director and IS manager full time	61,776	0	0	61,776	0	0.4
OCR Training increase	20,000	0	0	20,000	0	0.0
Annualize prior year legislation	13,249	13,249	0	0	0	0.0
Centrally appropriated line items	(85,253)	(85,253)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$32,857,067</b>	<b>\$31,094,622</b>	<b>\$0</b>	<b>\$1,762,445</b>	<b>\$0</b>	<b>34.4</b>
SB 20-162	211,200	211,200	0	0	0	0.0
<b>TOTAL</b>	<b>\$33,068,267</b>	<b>\$31,305,822</b>	<b>\$0</b>	<b>\$1,762,445</b>	<b>\$0</b>	<b>34.4</b>
<b>INCREASE/(DECREASE)</b>	<b>\$3,301,277</b>	<b>\$1,565,741</b>	<b>\$0</b>	<b>\$1,735,536</b>	<b>\$0</b>	<b>1.4</b>
Percentage Change	11.1%	5.3%	n/a	6,449.6%	n/a	4.2%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1249 includes \$7,136 General Fund for the FY 2019-20 PERA rate increase for employers in S.B. 18-200.

House Bill 20-1360 includes a budget balancing measure based on Judicial reversions that reduces the General Fund appropriation for *Personal Services* by \$140,000 and the General Fund appropriation for *Court-appointed Counsel* by \$1,400,000.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**OCR TITLE IV-E FUNDING:** The appropriation provides \$1,481,902 reappropriated funds that trace to federal reimbursements received pursuant to Title IV-E of the Social Security Act for the OCR to enhance child representation in dependency and neglect cases where foster care is a possible outcome.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 One-time reductions	\$1,540,000	\$1,540,000	\$0	\$0	\$0	0.0
FY 19-20 Merit pay	0	0	0	0	0	0.0
FY 19-20 OCR Two programs and compliance analyst positions	(90,598)	(90,598)	0	0	0	0.0
FY 19-20 OCR Increase Operating Appropriation	(22,857)	(22,857)	0	0	0	0.0
<b>TOTAL</b>	<b>\$1,426,545</b>	<b>\$1,426,545</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**OCR STAFF ATTORNEY:** The appropriation provides \$171,858 Title IV-E reappropriated funds and 1.0 FTE to add a staff attorney at the OCR.

**OCR MAKE DEPUTY DIRECTOR AND IS MANAGER FULL TIME.** The appropriation provides \$61,776 Title IV-E reappropriated funds and 0.4 FTE to make two part-time OCR employees full time.

**OCR TRAINING INCREASE:** The appropriation provides \$20,000 of Title IV-E reappropriated funds for training by OCR staff.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$15,499	\$15,499	\$0	\$0	\$0	0.0
HB 19-1316 Modernize marriage laws for minors	(2,250)	(2,250)	0	0	0	0.0
<b>TOTAL</b>	<b>\$13,249</b>	<b>\$13,249</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items for the following: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; and salary increases. As a budget balancing measure, the appropriation includes a \$160,268 General Fund Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction for the OCR.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## OFFICE OF THE RESPONDENT PARENTS' COUNSEL

The Office of the Respondent Parents' Counsel (ORPC) is an independent agency charged with ensuring the provision and availability of high-quality legal representation for indigent respondent parents involved in dependency and neglect proceedings. The ORPC provides legal representation by contracting with licensed attorneys. Cash funds are from training fees, and reappropriated funds are from federal funds transferred from the Department of Human Services. In FY 2018-19, the ORPC provided representation in 6,077 instances in which it was appointed by the court to provide representation.

OFFICE OF THE RESPONDENT PARENTS' COUNSEL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$20,869,276	\$20,808,181	\$30,000	\$31,095	\$0	13.0
HB 20-1249	4,370,171	1,994,431	5,000	2,370,740	0	0.0
<b>TOTAL</b>	<b>\$25,239,447</b>	<b>\$22,802,612</b>	<b>\$35,000</b>	<b>\$2,401,835</b>	<b>\$0</b>	<b>13.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$25,239,447	\$22,802,612	\$35,000	\$2,401,835	\$0	13.0
ORPC Title IV-E legal representation	2,370,740	0	0	2,370,740	0	0.0
ORPC Social worker pilot program continuation	318,240	0	0	318,240	0	0.0
ORPC Carrie Ann Lucas fellowship	173,522	0	0	173,522	0	1.0
ORPC Training	41,000	0	13,000	28,000	0	0.0
ORPC Operating expenses	14,108	14,108	0	0	0	0.0
Annualize prior year legislation	7,333	7,333	0	0	0	0.0
Annualize prior year budget actions	(289,665)	(289,665)	0	0	0	0.0
Centrally appropriated line items	(60,151)	(60,151)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$27,814,574</b>	<b>\$22,474,237</b>	<b>\$48,000</b>	<b>\$5,292,337</b>	<b>\$0</b>	<b>14.0</b>
SB 20-162	178,560	178,560	0	0	0	0.0
<b>TOTAL</b>	<b>\$27,993,134</b>	<b>\$22,652,797</b>	<b>\$48,000</b>	<b>\$5,292,337</b>	<b>\$0</b>	<b>14.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$2,753,687</b>	<b>(\$149,815)</b>	<b>\$13,000</b>	<b>\$2,890,502</b>	<b>\$0</b>	<b>1.0</b>
Percentage Change	10.9%	(0.7%)	37.1%	120.3%	n/a	7.7%

### FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1249 provides the ORPC with \$2,370,740 reappropriated funds for Title IV-E legal representation and \$5,000 cash funds for training, plus \$1,994,431 of General Fund appropriations distributed as follows:

- \$1,942,913 for an increase in number of appointments and in costs per appointment;
- \$36,002 for compensation plan alignment;
- \$12,273 for operating expenses; and
- \$3,243 for the FY 2019-20 PERA rate increase for employers in S.B. 18-200.

### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ORPC TITLE IV-E LEGAL REPRESENTATION:** The appropriation provides \$2,370,740 reappropriated funds that trace to federal reimbursements received pursuant to Title IV-E of the Social Security Act for the ORPC to enhance parent representation in dependency and neglect cases where foster care is a possible outcome.

**ORPC SOCIAL WORKER PILOT PROGRAM CONTINUATION:** The appropriation provides \$318,240 reappropriated funds tracing to federal Title IV-E reimbursements for a pilot program that aims to improve outcomes in dependency and neglect cases.

**ORPC CARRIE ANN LUCAS FELLOWSHIP:** The appropriation provides \$173,522 reappropriated funds and 1.0 FTE to create the Carrie Ann Lucas fellowship, which will employ an attorney to represent parents with disabilities in dependency and neglect cases.

**ORPC TRAINING:** The appropriation provides \$41,000 total funds (\$13,000 cash and \$28,000 reappropriated funds) for training at the ORPC.

**ORPC OPERATING EXPENSES:** The appropriation provides \$14,108 additional General Fund for Operating expenses at the ORPC.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes \$7,333 General Fund for the FY 2020-21 impact of S.B. 18-200 (PERA).

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 ORPC Staff attorney	\$6,012	\$6,012	\$0	\$0	\$0	0.0
FY 19-20 ORPC Programs Analyst	3,733	3,733	0	0	0	0.0
FY 19-20 ORPC Administrative Specialist	3,064	3,064	0	0	0	0.0
FY 19-20 ORPC Compensation plan alignment	166	166	0	0	0	0.0
FY 19-20 Merit pay	0	0	0	0	0	0.0
FY 17-18 ORPC Social Worker Pilot Program	(302,640)	(302,640)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$289,665)</b>	<b>(\$289,665)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items for the following: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; and salary increases. As a budget balancing measure, the appropriation includes a \$66,284 General Fund Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction for the ORPC.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## OFFICE OF THE CHILD PROTECTION OMBUDSMAN

The Office of the Child Protection Ombudsman (OCPO) is an independent agency that serves as a resource for persons involved in the child welfare system, reviews and investigates complaints concerning child protection services, makes recommendations about system improvements, and educates the public concerning child maltreatment.

OFFICE OF THE CHILD PROTECTION OMBUDSMAN						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$990,918	\$990,918	\$0	\$0	\$0	8.0
<b>TOTAL</b>	<b>\$990,918</b>	<b>\$990,918</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>8.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$990,918	\$990,918	\$0	\$0	\$0	8.0
Annualize prior year legislation	3,636	3,636	0	0	0	0.0

OFFICE OF THE CHILD PROTECTION OMBUDSMAN						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Centrally appropriated line items	(32,917)	(32,917)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$961,637</b>	<b>\$961,637</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>8.0</b>
<b>TOTAL</b>	<b>\$961,637</b>	<b>\$961,637</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>8.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$29,281)</b>	<b>(\$29,281)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	(3.0%)	(3.0%)	n/a	n/a	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes a \$3,636 General Fund appropriation for the FY 2020-21 impact of S.B. 18-200 (PERA).

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items for the following: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; and salary increases. As a budget balancing measure, the appropriation includes a \$36,430 General Fund Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction for the ORPC.

## INDEPENDENT ETHICS COMMISSION

The Independent Ethics Commission is an independent agency that is responsible for hearing complaints, issuing findings, assessing penalties, and issuing advisory opinions on ethics issues arising under Article XXIX of the State Constitution and other standards of conduct and reporting requirements as provided by law. The Commission has jurisdiction over all state legislative and executive branch elected officials and employees, as well as elected officials and employees of all Colorado counties and municipalities, unless the county or municipality is a home rule jurisdiction that has adopted charters, ordinances, or resolutions that address the matters covered by Article XXIX.

INDEPENDENT ETHICS COMMISSION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$204,709	\$204,709	\$0	\$0	\$0	1.0
<b>TOTAL</b>	<b>\$204,709</b>	<b>\$204,709</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>1.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$204,709	\$204,709	\$0	\$0	\$0	1.0
Annualize prior year legislation	625	625	0	0	0	0.0
IEC Adjustment	(10,000)	(10,000)	0	0	0	0.0
Centrally appropriated line items	(6,063)	(6,063)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$189,271</b>	<b>\$189,271</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>1.0</b>
<b>TOTAL</b>	<b>\$189,271</b>	<b>\$189,271</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>1.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$15,438)</b>	<b>(\$15,438)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	(7.5%)	(7.5%)	n/a	n/a	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes \$625 General Fund for the FY 2020-21 impact of S.B. 18-200 (PERA).

**IEC ADJUSTMENT:** The appropriation reduces appropriations to the Independent Ethics Commission by \$10,000 to align with actual expenditures from prior years.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items for the following: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; and salary increases. As a budget balancing measure, the appropriation includes a \$7,026 General Fund Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction for the ORPC.

## OFFICE OF PUBLIC GUARDIANSHIP

The Office of Public Guardianship is an independent agency, which was established by H.B. 17-1087 and H.B. 19-1045, and provides legal guardianship services for incapacitated and indigent adults who have no other guardianship prospects. A pilot program will begin in the Second Judicial District (Denver) in 2020. The Office will report to the General Assembly by January 1, 2023 and will be automatically repealed on December 31, 2023 if the program is not continued or expanded by the General Assembly during the 2023 session. The cash funds are from probate fees.

OFFICE OF PUBLIC GUARDIANSHIP						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$0	\$0	\$0	\$0	\$0	0.0
HB 19-1045	835,386	427,000	408,386	0	0	4.5
<b>TOTAL</b>	<b>\$835,386</b>	<b>\$427,000</b>	<b>\$408,386</b>	<b>\$0</b>	<b>\$0</b>	<b>4.5</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$835,386	\$427,000	\$408,386	\$0	\$0	4.5
Centrally appropriated line items	60,034	0	60,034	0	0	0.0
OPG Finance with cash funds in FY 2020-21	0	(263,411)	263,411	0	0	0.0
Annualize prior year legislation	(161,576)	(163,589)	2,013	0	0	1.5
<b>HB 20-1360</b>	<b>\$733,844</b>	<b>\$0</b>	<b>\$733,844</b>	<b>\$0</b>	<b>\$0</b>	<b>6.0</b>
<b>TOTAL</b>	<b>\$733,844</b>	<b>\$0</b>	<b>\$733,844</b>	<b>\$0</b>	<b>\$0</b>	<b>6.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$101,542)</b>	<b>(\$427,000)</b>	<b>\$325,458</b>	<b>\$0</b>	<b>\$0</b>	<b>1.5</b>
Percentage Change	(12.2%)	(100.0%)	79.7%	n/a	n/a	33.3%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items for the following: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; and salary increases.

**OPG FINANCE WITH CASH FUNDS IN FY 2020-21:** The appropriation refinances a \$263,411 General Fund appropriation for the Office of Public Guardianship with surplus from the Office of Public Guardianship cash fund.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes a reduction of \$163,589 General Fund and increase of 1.5 FTE for the annualization of H.B. 19-1045 (Office of Public Guardianship) as well as \$2,013 additional General Fund for the annualization of S.B. 18-200 (PERA).

# Details

## DEPARTMENT OF LABOR AND EMPLOYMENT

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

DEPARTMENT OF LABOR AND EMPLOYMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$271,969,109</b>	<b>\$25,519,883</b>	<b>\$82,643,259</b>	<b>\$10,092,733</b>	<b>\$153,713,234</b>	<b>1,292.8</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Executive Director's Office	63,675,744	6,419,256	26,601,984	622,245	30,032,259	111.2
Division of Unemployment Insurance	46,171,415	38,361	15,278,940	0	30,854,114	484.1
Division of Employment and Training	66,526,217	5,819,196	10,812,925	4,057,734	45,836,362	218.9
Division of Labor Standards and Statistics	4,526,858	878,173	1,409,906	0	2,238,779	60.7
Division of Oil and Public Safety	6,312,307	103,011	5,480,557	19,318	709,421	69.5
Division of Workers' Compensation	22,253,377	0	22,253,377	0	0	111.0
Division of Vocational Rehabilitation and Independent Living Services	62,503,191	12,261,886	805,570	5,393,436	44,042,299	237.4
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$270,584,244	\$24,423,131	\$82,605,146	\$9,842,733	\$153,713,234	1,289.0
SB 19-171	25,507	25,507	0	0	0	0.4
SB 19-188	165,487	165,487	0	0	0	0.5
HB 19-1025	38,113	0	38,113	0	0	0.6
HB 19-1107	1,000,000	750,000	0	250,000	0	0.5
HB 19-1314	155,758	155,758	0	0	0	1.8
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$265,701,603</b>	<b>\$18,494,327</b>	<b>\$81,509,312</b>	<b>\$6,388,200</b>	<b>\$159,309,764</b>	<b>1,290.7</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Executive Director's Office	56,493,929	4,933,424	23,589,971	648,855	27,321,679	110.7
Division of Unemployment Insurance	54,521,792	0	12,816,379	0	41,705,413	484.1
Division of Employment and Training	59,143,010	1,181,511	13,731,332	518,208	43,711,959	205.9
Division of Labor Standards and Statistics	5,572,849	552,908	2,733,043	0	2,286,898	71.8
Division of Oil and Public Safety	6,479,571	105,080	5,645,752	19,318	709,421	69.5
Division of Workers' Compensation	22,387,265	0	22,387,265	0	0	111.0
Division of Vocational Rehabilitation and Independent Living Services	61,103,187	11,721,404	605,570	5,201,819	43,574,394	237.7
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360	\$273,448,021	\$21,714,537	\$81,583,758	\$9,699,764	\$160,449,962	1,283.1
SB 20-205	206,566	206,566	0	0	0	2.7
HB 20-1153	412,584	0	412,584	0	0	4.4
HB 20-1379	(2,035,721)	(126,776)	(757,183)	(11,564)	(1,140,198)	0.0
HB 20-1395	(6,600,000)	(3,300,000)	0	(3,300,000)	0	(2.0)
HB 20-1415	270,153	0	270,153	0	0	2.5
<b>INCREASE/(DECREASE)</b>	<b>(\$6,267,506)</b>	<b>(\$7,025,556)</b>	<b>(\$1,133,947)</b>	<b>(\$3,704,533)</b>	<b>\$5,596,530</b>	<b>(2.1)</b>
Percentage Change	(2.3%)	(27.5%)	(1.4%)	(36.7%)	3.6%	(0.2%)



**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of Labor and Employment are annotated with the "(I)". For additional information, see Appendix K.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$157,091,755	\$0	\$8,210,619	\$5,201,819	\$143,679,317

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### EXECUTIVE DIRECTOR'S OFFICE

The Office provides funding for common services to all divisions including legal services from the Department of Law and information technology services from the Governor's Office of Information Technology. Additionally, this office provides support services to all divisions including budgeting, accounting, and human resources services.

Funding for the Office is 8.7 percent General Fund, 41.8 percent cash funds, 1.1 percent reappropriated funds, and 48.4 percent federal funds. The Employment Support Fund and Workers' Compensation Cash Fund are the largest sources of cash funds.

EXECUTIVE DIRECTOR'S OFFICE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$63,510,257	\$6,253,769	\$26,601,984	\$622,245	\$30,032,259	110.7
SB 19-188	165,487	165,487	0	0	0	0.5
<b>TOTAL</b>	<b>\$63,675,744</b>	<b>\$6,419,256</b>	<b>\$26,601,984</b>	<b>\$622,245</b>	<b>\$30,032,259</b>	<b>111.2</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$63,675,744	\$6,419,256	\$26,601,984	\$622,245	\$30,032,259	111.2
Technical adjustments	15,984	0	15,984	0	0	0.0
Centrally appropriated line items	(2,859,344)	(1,054,762)	(1,565,827)	54,101	(292,856)	0.0
Annualize prior year budget action	(2,301,320)	(142,314)	(833,045)	(15,927)	(1,310,034)	0.0
Annualize prior year legislation	(88,400)	(161,980)	41,072	0	32,508	(0.5)
<b>HB 20-1360</b>	<b>\$58,442,664</b>	<b>\$5,060,200</b>	<b>\$24,260,168</b>	<b>\$660,419</b>	<b>\$28,461,877</b>	<b>110.7</b>
HB 20-1153	23,026	0	23,026	0	0	0.0
HB 20-1379	(2,035,721)	(126,776)	(757,183)	(11,564)	(1,140,198)	0.0
HB 20-1415	63,960	0	63,960	0	0	0.0
<b>TOTAL</b>	<b>\$56,493,929</b>	<b>\$4,933,424</b>	<b>\$23,589,971</b>	<b>\$648,855</b>	<b>\$27,321,679</b>	<b>110.7</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$7,181,815)</b>	<b>(\$1,485,832)</b>	<b>(\$3,012,013)</b>	<b>\$26,610</b>	<b>(\$2,710,580)</b>	<b>(0.5)</b>
Percentage Change	(11.3%)	(23.1%)	(11.3%)	4.3%	(9.0%)	(0.4%)

### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**TECHNICAL ADJUSTMENTS:** The appropriation consolidates amounts for legal services previously included in the Workers Compensation section to this section of the Long Bill.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Health, life, and dental	\$775,017	\$69,098	\$80,501	(\$1,166)	\$626,584	0.0
Leased space	187,166	12,611	75,451	0	99,104	0.0
CORE accounting system	121,447	0	38,992	0	82,455	0.0
Indirect cost assessment	51,479	0	59,045	0	(7,566)	0.0
Capitol Complex leased space	2,921	0	2,921	0	0	0.0
DPA Annual fleet vehicle	564	56	241	0	267	0.0
Shift differential	233	0	0	0	233	0.0
Statewide indirect cost collection	0	(367,235)	0	367,235	0	0.0
Payments to OIT	(3,347,681)	(518,048)	(1,579,135)	(305,347)	(945,151)	0
HLD decrease in lieu of personal services base reduction	(276,218)	(276,218)	0	0	0	0.0
PERA Direct Distribution	(150,605)	(64)	(85,071)	(2,004)	(63,466)	0.0
Workers' compensation	(107,424)	(3,747)	(29,775)	0	(73,902)	0.0
Legal services	(87,028)	(4,596)	(13,665)	0	(68,767)	0.0
Payment to risk management / property funds	(24,983)	(608)	(7,049)	0	(17,326)	0.0
AED	(1,836)	16,726	(53,144)	(2,272)	36,854	0.0
SAED	(1,836)	16,726	(53,144)	(2,272)	36,854	0.0
Short-term disability	(560)	537	(1,995)	(73)	971	0.0
<b>TOTAL</b>	<b>(\$2,859,344)</b>	<b>(\$1,054,762)</b>	<b>(\$1,565,827)</b>	<b>\$54,101</b>	<b>(\$292,856)</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTION:** The appropriation includes the following adjustments for the out-year impacts of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 DPA postage increase	\$26,070	\$0	\$26,070	\$0	\$0	0.0
Annualize prior year salary survey	(2,327,390)	(142,314)	(859,115)	(15,927)	(1,310,034)	0.0
<b>TOTAL</b>	<b>(\$2,301,320)</b>	<b>(\$142,314)</b>	<b>(\$833,045)</b>	<b>(\$15,927)</b>	<b>(\$1,310,034)</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes the following adjustments for the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION					
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	FEDERAL FUNDS	FTE
SB 18-200 Eliminate PERA Unfunded Liability	\$77,087	\$3,507	\$41,072	\$32,508	0.0
SB 19-188 Family and Medical Leave Insurance	(165,487)	(165,487)	0	0	(0.5)
TOTAL	(\$88,400)	(\$161,980)	\$41,072	\$32,508	(0.5)

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## DIVISION OF UNEMPLOYMENT INSURANCE

Unemployment Insurance (UI) Programs provide weekly benefits to individuals who have lost their job through no fault of their own. Responsibilities include tax collection from employers, benefit payments, employer tax audits, call center operation, and claimant appeal application processing. Additionally, the UI Fraud Program identifies, investigates, and prosecutes unqualified individuals who receive UI benefits and employers who fail to pay UI premiums and taxes. The Division's funding consists of 76.5 percent federal funds, and 23.5 percent cash funds. The Employment Support Fund is the primary source of cash funds and derives from a portion of UI premiums paid by

employers. The Unemployment Revenue Fund, a smaller source of cash funds, derives from penalties on employers and employees for violating unemployment insurance requirements.

DIVISION OF UNEMPLOYMENT INSURANCE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$46,171,415	\$38,361	\$15,278,940	\$0	\$30,854,114	484.1
<b>TOTAL</b>	<b>\$46,171,415</b>	<b>\$38,361</b>	<b>\$15,278,940</b>	<b>\$0</b>	<b>\$30,854,114</b>	<b>484.1</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$46,171,415	\$38,361	\$15,278,940	\$0	\$30,854,114	484.1
Informational funds adjustment	10,100,000	0	0	0	10,100,000	0.0
Annualize prior year legislation	115,630	0	34,689	0	80,941	0.0
Refinance UI and Labor Standards positions	0	(38,361)	38,361	0	0	0.0
Annualize prior year budget action	(1,865,253)	0	(2,535,611)	0	670,358	0.0
<b>HB 20-1360</b>	<b>\$54,521,792</b>	<b>\$0</b>	<b>\$12,816,379</b>	<b>\$0</b>	<b>\$41,705,413</b>	<b>484.1</b>
<b>TOTAL</b>	<b>\$54,521,792</b>	<b>\$0</b>	<b>\$12,816,379</b>	<b>\$0</b>	<b>\$41,705,413</b>	<b>484.1</b>
<b>INCREASE/(DECREASE)</b>	<b>\$8,350,377</b>	<b>(\$38,361)</b>	<b>(\$2,462,561)</b>	<b>\$0</b>	<b>\$10,851,299</b>	<b>0.0</b>
Percentage Change	18.1%	(100.0%)	(16.1%)	n/a	35.2%	0.0%

#### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**INFORMATIONAL FUNDS ADJUSTMENT:** The appropriation includes adjustments to federal funds, shown for informational purposes. The increase in this division is for administration of the state’s unemployment insurance programs as authorized in the federal Families First Coronavirus Response Act.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an adjustment for the out-year impact of S.B. 18-200 (Eliminate PERA Unfunded Liability).

**REFINANCE UI AND LABOR STANDARDS POSITIONS:** The appropriation substitutes cash funds from the Employment Support Fund for General Fund appropriations in the Division of Unemployment Insurance. This is a budget balancing action.

**ANNUALIZE PRIOR YEAR BUDGET ACTION:** The appropriation includes the following adjustments for the out-year impacts of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize prior year salary survey	\$955,805	\$0	\$285,447	\$0	\$670,358	0.0
FY 2019-20 DPA postage increase	52,930	0	52,930	0	0	0.0
Annualize FY 2014-15 and FY 2015-16 UI technology initiatives	(2,313,988)	0	(2,313,988)	0	0	0.0
FY 2019-20 Replacement of legacy field audit system for UI	(410,000)	0	(410,000)	0	0	0.0
FY 2018-19 Facilitate Reemployment with Job Preparedness Modules	(150,000)	0	(150,000)	0	0	0.0
<b>TOTAL</b>	<b>(\$1,865,253)</b>	<b>\$0</b>	<b>(\$2,535,611)</b>	<b>\$0</b>	<b>\$670,358</b>	<b>0.0</b>

## DIVISION OF EMPLOYMENT AND TRAINING

The Division of Employment and Training offers free assistance to job seekers, including: job search assistance, additional job training, and classes to improve interview and résumé skills. These services are offered through state and county one-stop workforce centers. Additionally, workforce centers match employers with qualified candidates to fill job vacancies. Funding for these programs consists of cash funds, primarily from the Employment Support Fund, and various federal funds including from the Workforce Innovation and Opportunity Act. This division also houses the Colorado Workforce Development Council, which supports collaboration between state agencies that are responsible for workforce issues and is funded by reappropriated funds transferred from the Departments of Higher Education, Education, Local Affairs, and Human Services. Finally, this division includes funding for various state-created employment and training programs that are supported by state General Fund and cash funds.

DIVISION OF EMPLOYMENT AND TRAINING						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$65,344,952	\$4,887,931	\$10,812,925	\$3,807,734	\$45,836,362	216.2
SB 19-171	25,507	25,507	0	0	0	0.4
HB 19-1107	1,000,000	750,000	0	250,000	0	0.5
HB 19-1314	155,758	155,758	0	0	0	1.8
<b>TOTAL</b>	<b>\$66,526,217</b>	<b>\$5,819,196</b>	<b>\$10,812,925</b>	<b>\$4,057,734</b>	<b>\$45,836,362</b>	<b>218.9</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$66,526,217	\$5,819,196	\$10,812,925	\$4,057,734	\$45,836,362	218.9
Increase for workforce centers	2,000,000	0	2,000,000	0	0	0.0
Annualize prior year budget action	413,125	12,262	167,855	10,474	222,534	0.0
Veterans Service to Career Program	300,000	0	300,000	0	0	0.0
Employment Support and Job Retention Services spending authority	155,000	0	155,000	0	0	0.0
Technical adjustments	0	0	0	0	0	0.0
Informational funds adjustment	(2,367,960)	0	0	0	(2,367,960)	(10.0)
Annualize prior year legislation	(1,283,372)	(1,349,947)	295,552	(250,000)	21,023	(1.0)
<b>HB 20-1360</b>	<b>\$65,743,010</b>	<b>\$4,481,511</b>	<b>\$13,731,332</b>	<b>\$3,818,208</b>	<b>\$43,711,959</b>	<b>207.9</b>
HB 20-1395	(6,600,000)	(3,300,000)	0	(3,300,000)	0	(2.0)
<b>TOTAL</b>	<b>\$59,143,010</b>	<b>\$1,181,511</b>	<b>\$13,731,332</b>	<b>\$518,208</b>	<b>\$43,711,959</b>	<b>205.9</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$7,383,207)</b>	<b>(\$4,637,685)</b>	<b>\$2,918,407</b>	<b>(\$3,539,526)</b>	<b>(\$2,124,403)</b>	<b>(13.0)</b>
Percentage Change	(11.1%)	(79.7%)	27.0%	(87.2%)	(4.6%)	(5.9%)

### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**INCREASE FOR WORKFORCE CENTERS:** The appropriation includes \$2,000,000 cash funds from the Employment Support Fund in FY 2020-21 to provide additional resources for county and state-operated workforce centers to help with reemployment assistance in FY 2020-21. The additional funds are intended to help workforce centers address workers' and employers' needs in light of the COVID-19 disaster emergency and related economic impacts. These funds will supplement the workforce centers' federal funding for labor exchange services.

**ANNUALIZE PRIOR YEAR BUDGET ACTION:** The appropriation includes an adjustment to annualize FY 2019-20 salary survey. Salary survey amounts are included in a centrally appropriated line item in the initial year of the appropriation and are moved to personal services line items throughout the department in the following year.

**VETERANS SERVICE TO CAREER PROGRAM:** The appropriation includes \$300,000 cash funds from the Marijuana Tax Cash Fund for the Veterans Service to Career Program. The program provides employment services for military veterans through state workforce centers and nonprofit centers for veterans. The program received a two-year appropriation for FY 2018-19 and FY 2019-20 through H.B. 18-1343. This appropriation funds the program for FY 2020-21.

**EMPLOYMENT SUPPORT AND JOB RETENTION SERVICES SPENDING AUTHORITY:** The appropriation adds \$155,000 cash funds spending authority from the Employment Support and Job Retention Services Cash Fund to allow increased spending from this fund in FY 2020-21. Pursuant to HB 19-1107, \$750,000 General Fund was deposited into this fund in FY 2019-20 to be spent over a three year period (FY 2019-20 through FY 2021-22) for a pilot program to provide additional employment supports for individuals seeking employment. The FY 2020-21 increase will compensate for reduced spending in FY 2019-20 related to the disaster emergency.

**TECHNICAL ADJUSTMENTS:** The appropriation includes a net \$0 reorganization of line items in the Division of Employment and Training.

**INFORMATIONAL FUNDS ADJUSTMENT:** The appropriation includes adjustments to federal funds and FTE shown for informational purposes, reflecting anticipated federal support for employment and training programs.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes the following adjustments for the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 Eliminate PERA Unfunded Liability	\$70,079	\$3,504	\$45,552	\$0	\$21,023	0.0
HB 19-1314 Just Transitions	2,594	2,594	0	0	0	0.2
HB 19-1107 Employment Support Job Retention Services	(750,000)	(750,000)	250,000	(250,000)	0	0.0
HB 15-1230 Innovative Industry Workforce Development	(605,407)	(605,407)	0	0	0	(1.3)
SB 19-171 Apprenticeships and Vocational Technical Training	(638)	(638)	0	0	0	0.1
<b>TOTAL</b>	<b>(\$1,283,372)</b>	<b>(\$1,349,947)</b>	<b>\$295,552</b>	<b>(\$250,000)</b>	<b>\$21,023</b>	<b>(1.0)</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## DIVISION OF LABOR STANDARDS AND STATISTICS

The Division of Labor Standards and Statistics administers two subdivisions: Labor Standards and Labor Statistics. Labor Standards ensures compliance with Colorado's wage, youth, and labor laws, and facilitates labor dispute resolution and mediation. Labor Statistics provides data on labor force trends across the state, including monthly unemployment numbers and job growth information. It also collaborates with one-stop centers to identify fields that have potential long-term growth in Colorado and associated training needs.

The Labor Standards subdivision receives General Fund and cash funds appropriations. The cash funds are primarily from the Employment Support Fund, with some support provided by the Employment Verification Cash Fund. The Labor Statistics subdivision is supported entirely by federal funds.

DIVISION OF LABOR STANDARDS AND STATISTICS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$4,488,745	\$878,173	\$1,371,793	\$0	\$2,238,779	60.1
HB 19-1025	38,113	0	38,113	0	0	0.6
<b>TOTAL</b>	<b>\$4,526,858</b>	<b>\$878,173</b>	<b>\$1,409,906</b>	<b>\$0</b>	<b>\$2,238,779</b>	<b>60.7</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$4,526,858	\$878,173	\$1,409,906	\$0	\$2,238,779	60.7
Annualize prior year legislation	149,522	59,229	90,293	0	0	1.5
Annualize prior year budget action	94,152	20,896	25,137	0	48,119	0.0
Refinance UI and Labor Standards positions	0	(611,956)	611,956	0	0	0.0
<b>HB 20-1360</b>	<b>\$4,770,532</b>	<b>\$346,342</b>	<b>\$2,137,292</b>	<b>\$0</b>	<b>\$2,286,898</b>	<b>62.2</b>
SB 20-205	206,566	206,566	0	0	0	2.7
HB 20-1153	389,558	0	389,558	0	0	4.4
HB 20-1415	206,193	0	206,193	0	0	2.5
<b>TOTAL</b>	<b>\$5,572,849</b>	<b>\$552,908</b>	<b>\$2,733,043</b>	<b>\$0</b>	<b>\$2,286,898</b>	<b>71.8</b>
<b>INCREASE/(DECREASE)</b>	<b>\$1,045,991</b>	<b>(\$325,265)</b>	<b>\$1,323,137</b>	<b>\$0</b>	<b>\$48,119</b>	<b>11.1</b>
Percentage Change	23.1%	(37.0%)	93.8%	n/a	2.1%	18.3%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes the following adjustments for the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1210 Local Government Minimum Wage	\$75,689	\$0	\$75,689	\$0	\$0	1.0
SB 19-085 Equal Pay for Equal Work	48,245	48,245	0	0	0	0.6
SB 18-200 Eliminate PERA Unfunded Liability	35,040	10,984	24,056	0	0	0.0
HB 19-1025 Limits of Job Criminal Inquiry	(9,452)	0	(9,452)	0	0	(0.1)
<b>TOTAL</b>	<b>\$149,522</b>	<b>\$59,229</b>	<b>\$90,293</b>	<b>\$0</b>	<b>\$0</b>	<b>1.5</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTION:** The appropriation includes an adjustment to annualize FY 2019-20 salary survey. Salary survey amounts are included in a centrally appropriated line item in the initial year of the appropriation and are moved to personal services line items throughout the department in the following year.

**REFINANCE UI AND LABOR STANDARDS POSITIONS:** The appropriation substitutes cash funds from the Employment Support Fund for General Fund appropriations in the Division of Labor Standards and Statistics. This is a budget balancing action.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## DIVISION OF OIL AND PUBLIC SAFETY

This division is comprised of the Public Safety Unit (PSU) and the Office of the State Oil Inspector (Inspector). The PSU conducts inspections of boilers and pressure vessels in commercial and multi-unit residential buildings; regulates the distribution and storage of petroleum products; regulates the remediation of contamination caused by leaking

underground storage tanks; enforces statutory requirements pertaining to carnival and amusement park rides; licenses conveyances, conveyance inspectors and mechanics; and regulates and monitors proper storage of explosives. Cash funds used to support the operations of this Division include the Petroleum Storage Tank Fund, the Boiler Inspection Fund, and the Conveyance Safety Fund. Reappropriated funds are from the Department of Public Health and Environment.

DIVISION OF OIL AND PUBLIC SAFETY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$6,312,307	\$103,011	\$5,480,557	\$19,318	\$709,421	69.5
<b>TOTAL</b>	<b>\$6,312,307</b>	<b>\$103,011</b>	<b>\$5,480,557</b>	<b>\$19,318</b>	<b>\$709,421</b>	<b>69.5</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$6,312,307	\$103,011	\$5,480,557	\$19,318	\$709,421	69.5
Annualize prior year budget action	149,744	1,691	148,053	0	0	0.0
Annualize prior year legislation	17,520	378	17,142	0	0	0.0
<b>HB 20-1360</b>	<b>\$6,479,571</b>	<b>\$105,080</b>	<b>\$5,645,752</b>	<b>\$19,318</b>	<b>\$709,421</b>	<b>69.5</b>
<b>TOTAL</b>	<b>\$6,479,571</b>	<b>\$105,080</b>	<b>\$5,645,752</b>	<b>\$19,318</b>	<b>\$709,421</b>	<b>69.5</b>
<b>INCREASE/(DECREASE)</b>	\$167,264	\$2,069	\$165,195	\$0	\$0	0.0
Percentage Change	2.6%	2.0%	3.0%	0.0%	0.0%	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTION:** The appropriation includes an adjustment to annualize FY 2019-20 salary survey. Salary survey amounts are included in a centrally appropriated line item in the initial year of the appropriation and are moved to personal services line items throughout the department in the following year.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an adjustment for the out-year impact of S.B. 18-200 (Eliminate PERA Unfunded Liability).

## DIVISION OF WORKERS' COMPENSATION

The Division of Workers' Compensation is comprised of five major units: customer service, dispute resolution, medical cost containment, employer services, and special funds.

- The customer service unit provides administrative oversight of injury claims to ensure compliance with all benefit and reporting requirements. This unit provides information and technical assistance and audits insurers' claims handling practices.
- The dispute resolution unit provides mediation, arbitration, pre-hearing, and settlement services to quickly resolve contested issues without administrative hearings and/or litigation.
- The medical cost containment unit oversees the programs intended to ensure that medical services for workers' compensation claims are provided in a cost-effective manner.
- The employer services section administers the self-insurance and premium cost-containment programs and ensures employer compliance with workers' compensation coverage requirements.
- The special funds section administers two large insurance programs, the Major Medical Insurance Fund (MMIF) and Subsequent Injury Fund (SIF). The MMIF covers the medical expenses in excess of \$20,000 of an injured worker who sustained catastrophic injuries between July 1971 and June 1981. The Subsequent Injury Fund covers an injured worker's medical expenses from a second workplace injury that occurred before 1994 and resulted in

permanent disability or up to \$10,000 of a worker's medical expenses from a second or subsequent exposure to certain occupational materials.

The Division of Workers' Compensation is cash-funded primarily from the Workers' Compensation Cash Fund, the Subsequent Injury Fund, and the Major Medical Insurance Fund. These funds are derived from surcharges on workers' compensation insurance policies.

DIVISION OF WORKERS' COMPENSATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$22,253,377	\$0	\$22,253,377	\$0	\$0	111.0
<b>TOTAL</b>	<b>\$22,253,377</b>	<b>\$0</b>	<b>\$22,253,377</b>	<b>\$0</b>	<b>\$0</b>	<b>111.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$22,253,377	\$0	\$22,253,377	\$0	\$0	111.0
Annualize prior year budget action	226,921	0	226,921	0	0	0.0
Annualize prior year legislation	21,024	0	21,024	0	0	0.0
Centrally appropriated line items	(98,073)	0	(98,073)	0	0	0.0
Technical adjustments	(15,984)	0	(15,984)	0	0	0.0
<b>HB 20-1360</b>	<b>\$22,387,265</b>	<b>\$0</b>	<b>\$22,387,265</b>	<b>\$0</b>	<b>\$0</b>	<b>111.0</b>
<b>TOTAL</b>	<b>\$22,387,265</b>	<b>\$0</b>	<b>\$22,387,265</b>	<b>\$0</b>	<b>\$0</b>	<b>111.0</b>
<b>INCREASE/(DECREASE)</b>	\$133,888		\$133,888	\$0	\$0	0.0
Percentage Change	0.6%	n/a	0.6%	n/a	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTION:** The appropriation includes an adjustment to annualize FY 2019-20 salary survey. Salary survey amounts are included in a centrally appropriated line item in the initial year of the appropriation and are moved to personal services line items throughout the department in the following year.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an adjustment for the out-year impact of S.B. 18-200 (Eliminate PERA Unfunded Liability).

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items, including an adjustment to the line item for administrative law judges in this division.

**TECHNICAL ADJUSTMENTS:** The appropriation consolidates amounts for legal services previously included in this section in the Executive Director's Office.

## DIVISION OF VOCATIONAL REHABILITATION AND INDEPENDENT LIVING SERVICES

This division consists of two subdivisions: Vocational Rehabilitation Programs and Office of Independent Living Services.

- Vocational Rehabilitation Programs assists individuals, whose disabilities result in barriers to employment or independent living, with attaining and maintaining employment and/or independent living. At any of the 43 field and satellite offices located throughout the state, rehabilitation counselors work with clients to assess their needs and identify appropriate vocational rehabilitation services. Federal rules establish a match rate for Vocational



Rehabilitation Programs of 78.7 percent federal funds and 21.3 percent non-federal funds. State funds include General Fund and reappropriated funds primarily from school districts for the School to Work Alliance Program.

- The Office of Independent Living Services allocates funding to the nine Independent Living Centers in Colorado that provide services to individuals with significant disabilities. The goal of independent living services is to provide individuals with the resources and skills to live independently in the community. Funding for independent living services is primarily General Fund, although some federal funds and matching local cash funds are also reflected in the budget.

DIVISION OF VOCATIONAL REHABILITATION AND INDEPENDENT LIVING SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$62,503,191	\$12,261,886	\$805,570	\$5,393,436	\$44,042,299	237.4
<b>TOTAL</b>	<b>\$62,503,191</b>	<b>\$12,261,886</b>	<b>\$805,570</b>	<b>\$5,393,436</b>	<b>\$44,042,299</b>	<b>237.4</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$62,503,191	\$12,261,886	\$805,570	\$5,393,436	\$44,042,299	237.4
Annualize prior year budget action	470,902	104,519	0	0	366,383	0.3
Annualize prior year legislation	105,118	23,007	0	0	82,111	0.0
Technical adjustments	0	0	0	0	0	0.0
Long Bill true-up	(1,108,016)	0	(200,000)	(191,617)	(716,399)	0.0
Independent Living Center reduction	(600,000)	(600,000)	0	0	0	0.0
Informational funds adjustment	(200,000)	0	0	0	(200,000)	0.0
Community provider rate	(68,008)	(68,008)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$61,103,187</b>	<b>\$11,721,404</b>	<b>\$605,570</b>	<b>\$5,201,819</b>	<b>\$43,574,394</b>	<b>237.7</b>
<b>TOTAL</b>	<b>\$61,103,187</b>	<b>\$11,721,404</b>	<b>\$605,570</b>	<b>\$5,201,819</b>	<b>\$43,574,394</b>	<b>237.7</b>
INCREASE/(DECREASE)						
	(\$1,400,004)	(\$540,482)	(\$200,000)	(\$191,617)	(\$467,905)	0.3
Percentage Change	(2.2%)	(4.4%)	(24.8%)	(3.6%)	(1.1%)	0.1%

#### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTION:** The appropriation includes the following adjustments for the out-year impacts of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize prior year salary survey	\$459,136	\$102,013	\$0	\$0	\$357,123	0.0
FY 2019-20 Employment First request	11,766	2,506	0	0	9,260	0.3
<b>TOTAL</b>	<b>\$470,902</b>	<b>\$104,519</b>	<b>\$0</b>	<b>\$0</b>	<b>\$366,383</b>	<b>0.3</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an adjustment for the out-year impact of S.B. 18-200 (Eliminate PERA Unfunded Liability).

**TECHNICAL ADJUSTMENTS:** The appropriation includes changes to “(M)” and “(I)” notations (identifying appropriations subject to matching requirements and those that are informational only) in this division.

**LONG BILL TRUE-UP:** The appropriation includes adjustments to align amounts in the Long Bill with recent year program expenditures, as shown in the table below.

LONG BILL TRUE-UP						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
School to Work Alliance Program	(\$908,016)	\$0	\$0	(\$191,617)	(\$716,399)	0.0
Business Enterprise Cash Fund Spending Authority	(200,000)	0	(200,000)	0	0	0.0
<b>TOTAL</b>	<b>(\$1,108,016)</b>	<b>\$0</b>	<b>(\$200,000)</b>	<b>(\$191,617)</b>	<b>(\$716,399)</b>	<b>0.0</b>

**INDEPENDENT LIVING CENTER REDUCTION:** The appropriation reduces by \$600,000 General Fund the appropriation for the state's nine independent living centers, which provide advocacy, support, and referral services for people with disabilities. The appropriation was originally based on funding required to support ten centers, but one center has closed. This is a budget balancing action.

**INFORMATIONAL FUNDS ADJUSTMENT:** The appropriation includes adjustments to federal funds shown for informational purposes, including a \$200,000 reduction to estimated federal social security reimbursement amounts included in this division.

**COMMUNITY PROVIDER RATE:** The appropriation includes a decrease of \$\$68,008 General Fund for the one percent common policy across-the-board decrease for most community providers. This is a budget balancing action.

# Details

## DEPARTMENT OF LAW

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

DEPARTMENT OF LAW						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$92,486,498</b>	<b>\$18,867,152</b>	<b>\$17,688,477</b>	<b>\$53,606,154</b>	<b>\$2,324,715</b>	<b>513.5</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Administration	25,537,997	6,286,346	2,646,027	16,128,189	477,435	57.2
Legal Services to State Agencies	36,615,416	0	1,509,382	35,106,034	0	269.9
Criminal Justice and Appellate	17,943,798	6,610,905	7,864,676	1,620,937	1,847,280	117.6
Water and Natural Resources	2,209,747	800,845	827,877	581,025	0	13.4
Consumer Protection	5,978,672	1,918,188	3,890,515	169,969	0	54.4
Special Purpose	4,200,868	3,250,868	950,000	0	0	1.0
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$90,145,714	\$18,497,361	\$17,626,348	\$51,667,911	\$2,354,094	500.4
SB 19-002	115,273	115,273	0	0	0	1.4
SB 19-005	134,719	0	0	134,719	0	0.7
SB 19-030	55,139	55,139	0	0	0	0.6
SB 19-166	40,056	0	40,056	0	0	0.6
SB 19-181	186,534	0	0	186,534	0	1.0
SB 19-218	535,456	0	0	535,456	0	2.9
SB 19-223	189,901	50,000	0	139,901	0	0.8
SB 19-224	103,630	0	0	103,630	0	0.6
SB 19-236	186,534	0	0	186,534	0	1.0
HB 19-1045	50,000	0	0	50,000	0	0.3
HB 19-1090	242,494	0	0	242,494	0	1.3
HB 19-1230	72,023	0	0	72,023	0	0.3
HB 19-1234	35,752	0	0	35,752	0	0.2
HB 19-1242	15,545	0	0	15,545	0	0.0
HB 19-1261	93,267	0	0	93,267	0	0.5
HB 19-1309	22,073	0	22,073	0	0	0.1
HB 19-1327	142,388	0	0	142,388	0	0.8
HB 20-1250	0	29,379	0	0	(29,379)	0.0
HB 20-1411	120,000	120,000	0	0	0	0.0
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$91,573,634</b>	<b>\$14,284,468</b>	<b>\$19,459,500</b>	<b>\$55,459,431</b>	<b>\$2,370,235</b>	<b>518.0</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Administration	21,634,099	4,540,749	2,321,547	14,338,121	433,682	56.3
Legal Services to State Agencies	40,981,598	0	2,455,154	38,526,444	0	281.5
Criminal Justice and Appellate	16,950,661	6,122,854	7,065,285	1,825,969	1,936,553	111.4
Water and Natural Resources	2,066,159	621,497	850,675	593,987	0	11.6
Consumer Protection	6,641,749	0	6,466,839	174,910	0	57.2
Special Purpose	3,299,368	2,999,368	300,000	0	0	0.0
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360	\$91,244,902	\$14,760,572	\$19,397,708	\$54,716,387	\$2,370,235	509.7
SB 20-028	74,620	0	0	74,620	0	0.4
SB 20-162	38,376	0	0	38,376	0	0.2

DEPARTMENT OF LAW						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 20-200	63,960	0	0	63,960	0	0.3
SB 20-204	10,660	0	0	10,660	0	0.0
SB 20-217	95,940	0	0	95,940	0	0.5
HB 20-1001	98,605	0	0	98,605	0	0.5
HB 20-1153	1,151,750	0	197,445	954,305	0	6.1
HB 20-1369	(150,000)	(150,000)	0	0	0	0.0
HB 20-1379	(1,119,139)	(326,104)	(135,653)	(657,382)	0	0.0
HB 20-1415	63,960	0	0	63,960	0	0.3
<b>INCREASE/(DECREASE)</b>	<b>(\$912,864)</b>	<b>(\$4,582,684)</b>	<b>\$1,771,023</b>	<b>\$1,853,277</b>	<b>\$45,520</b>	<b>4.5</b>
Percentage Change	(1.0%)	(24.3%)	10.0%	3.5%	2.0%	0.9%

<sup>1</sup> Includes appropriations from the CARE subfund of the General Fund for FY 2019-20

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of Law are annotated with the "(I)". For additional information, see Appendix K.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$7,030,617	\$0	\$4,279,842	\$380,540	\$2,370,235

**CARE SUBFUND IN THE GENERAL FUND:** Federal H.R. 748, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, created the \$150.0 billion Coronavirus Relief Fund, which was allocated to states, tribal governments, territories, and local governments to address costs directly related to the novel coronavirus, COVID-19. Colorado's state government received a total allocation of \$1,673,849,579 from the Coronavirus Relief Fund, and of this amount, \$70,000,000 was transferred to the General Fund through Executive Order D 2020 070 and placed in the CARE subfund for appropriation by the General Assembly. The table below shows the amount appropriated from the CARE subfund for FY 2019-20 for Safe2Tell through legislation enacted in the 2020 legislative session.

Federal law requires that this funding be used to cover those expenditures that:

- 1 are necessary expenditures incurred due to the public health emergency with respect to COVID-19;
- 2 were not accounted for in the budget most recently approved as of the date of enactment of this section for the State or government; and
- 3 were incurred during the period that begins March 1, 2020, and ends on December 30, 2020.

For additional information on CARE subfund appropriations, see Appendix D.

GENERAL FUND SUMMARY	TOTAL GENERAL FUND	GENERAL FUND	CARE SUBFUND IN THE GENERAL FUND
FY 2019-20	\$18,867,152	\$18,747,152	\$120,000
FY 2020-21	\$14,284,468	\$14,284,468	\$0

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### ADMINISTRATION

This section includes funding for the Attorney General, the Solicitor General, and other management staff, as well as the Office of Community Engagement and the Department's human resources, accounting/budgeting, information technology, and legal support services units. These units are primarily supported by General Fund and

indirect cost recoveries. This section also includes central appropriations for the entire Department, including funding for employee benefits, facilities, vehicles, and information technology. Cash funds appropriations include money received by the Attorney General as an award of attorney fees or costs in legal cases, and other sources. Reappropriated funds derive from indirect cost recoveries and money transferred from a variety of other appropriations. Federal funds are from the Medicaid Fraud Control Program.

ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$25,417,997	\$6,136,967	\$2,646,027	\$16,128,189	\$506,814	57.2
HB 20-1250	0	29,379	0	0	(29,379)	0.0
HB 20-1411	120,000	120,000	0	0	0	0.0
<b>TOTAL</b>	<b>\$25,537,997</b>	<b>\$6,286,346</b>	<b>\$2,646,027</b>	<b>\$16,128,189</b>	<b>\$477,435</b>	<b>57.2</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$25,537,997	\$6,286,346	\$2,646,027	\$16,128,189	\$477,435	57.2
Annualize prior year budget actions	187,749	187,749	0	0	0	0.0
Centrally appropriated line items	(2,813,500)	(1,249,653)	(187,433)	(1,330,044)	(46,370)	0.0
Annualize prior year legislation	(95,568)	(116,885)	321	20,996	0	0.0
Eliminate Safe2Tell marketing position	(56,175)	(56,175)	0	0	0	(0.9)
Technical adjustments	(7,265)	(184,529)	(1,715)	176,362	2,617	0.0
<b>HB 20-1360</b>	<b>\$22,753,238</b>	<b>\$4,866,853</b>	<b>\$2,457,200</b>	<b>\$14,995,503</b>	<b>\$433,682</b>	<b>56.3</b>
HB 20-1379	(1,119,139)	(326,104)	(135,653)	(657,382)	0	0.0
<b>TOTAL</b>	<b>\$21,634,099</b>	<b>\$4,540,749</b>	<b>\$2,321,547</b>	<b>\$14,338,121</b>	<b>\$433,682</b>	<b>56.3</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$3,903,898)</b>	<b>(\$1,745,597)</b>	<b>(\$324,480)</b>	<b>(\$1,790,068)</b>	<b>(\$43,753)</b>	<b>(0.9)</b>
Percentage Change	(15.3%)	(27.8%)	(12.3%)	(11.1%)	(9.2%)	(1.6%)

<sup>1</sup> Includes appropriations from the CARE subfund of the General Fund for FY 2019-20

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1250 modifies the FY 2019-20 appropriation to make a net neutral adjustment of \$29,379 to the Department's PERA Direct Distribution allocation.

House Bill 20-1411 modifies the FY 2019-20 appropriation to add \$120,000 from the CARE subfund in the General Fund to the Department of Law for the Safe2Tell program for behavioral health services related to the COVID-19 public health emergency.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions, including the annualization of FY 2019-20 salary survey and merit pay.

**CENTRALLY APPROPRIATED ITEMS:** The appropriation includes a reduction of \$2.8 million total funds, including \$1.2 million General Fund, for adjustments to centrally appropriated line items for the following: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; shift differential; workers' compensation; legal services; administrative law judges; payment to risk management and property funds; Capitol complex leased space; payments to the Governor's Office of Information Technology (OIT); and CORE operations. The appropriation includes a Health, Life, and Dental adjustment in lieu of a General Fund personal services base reduction.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB18-200 PERA	\$24,432	\$3,115	\$321	\$20,996	\$0	0.0
HB 20-1411 COVID-19 funds for behavioral health	(120,000)	(120,000)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$95,568)</b>	<b>(\$116,885)</b>	<b>\$321</b>	<b>\$20,996</b>	<b>\$0</b>	<b>0.0</b>

**ELIMINATE SAFE2TELL MARKETING POSITION:** The appropriation includes a reduction of \$56,175 General Fund and 0.9 FTE to eliminate a marketing and social media position within the Safe2Tell team in the Office of Community Engagement. This is a budget balancing action.

**TECHNICAL ADJUSTMENTS:** The appropriation includes three technical changes.

TECHNICAL ADJUSTMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Attorney Registration and CLE	\$9,168	\$1,995	\$0	\$7,173	\$0	0.0
Indirect recoveries fund source adjustment	0	(176,166)	0	176,166	0	0.0
IT asset maintenance	(16,433)	(10,358)	(1,715)	(6,977)	2,617	0.0
<b>TOTAL</b>	<b>(\$7,265)</b>	<b>(\$184,529)</b>	<b>(\$1,715)</b>	<b>\$176,362</b>	<b>\$2,617</b>	<b>0.0</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## LEGAL SERVICES TO STATE AGENCIES

The Department provides legal services on a fee-for-service basis to state agencies and enterprises. This section includes appropriations for the attorneys, legal assistants, and support personnel who provide these services. In most cases, the appropriations in this section are reflected as reappropriated funds because a corresponding appropriation for the purchase of legal services appears in the client agency's budget. Cash funds reflect payments the Department receives from state agencies that are not duplicated in appropriations elsewhere in the budget. The FY 2020-21 appropriation also includes \$200,000 cash funds from the Attorney Fees and Costs Account. In FY 2019-20, the Department expects to provide 472,881 hours of legal service at an average billing rate of \$102.78 per hour, a decrease of \$3.82 per hour compared to the FY 2019-20 average billing rate.

LEGAL SERVICES TO STATE AGENCIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$34,655,100	\$0	\$1,487,309	\$33,167,791	\$0	259.4
SB 19-005	134,719	0	0	134,719	0	0.7
SB 19-181	186,534	0	0	186,534	0	1.0
SB 19-218	535,456	0	0	535,456	0	2.9
SB 19-223	139,901	0	0	139,901	0	0.8
SB 19-224	103,630	0	0	103,630	0	0.6
SB 19-236	186,534	0	0	186,534	0	1.0
HB 19-1045	50,000	0	0	50,000	0	0.3
HB 19-1090	242,494	0	0	242,494	0	1.3
HB 19-1230	72,023	0	0	72,023	0	0.3
HB 19-1234	35,752	0	0	35,752	0	0.2
HB 19-1242	15,545	0	0	15,545	0	0.0
HB 19-1261	93,267	0	0	93,267	0	0.5
HB 19-1309	22,073	0	22,073	0	0	0.1
HB 19-1327	142,388	0	0	142,388	0	0.8
<b>TOTAL</b>	<b>\$36,615,416</b>	<b>\$0</b>	<b>\$1,509,382</b>	<b>\$35,106,034</b>	<b>\$0</b>	<b>269.9</b>

LEGAL SERVICES TO STATE AGENCIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$36,615,416	\$0	\$1,509,382	\$35,106,034	\$0	269.9
Annualize prior year budget actions	1,677,208	0	0	1,677,208	0	0.0
Annualize prior year legislation	607,861	0	199,572	408,289	0	2.3
Indirect cost assessment	291,361	0	548,755	(257,394)	0	0.0
Non-prioritized request items	191,881	0	0	191,881	0	1.0
<b>HB 20-1360</b>	<b>\$39,383,727</b>	<b>\$0</b>	<b>\$2,257,709</b>	<b>\$37,126,018</b>	<b>\$0</b>	<b>273.2</b>
SB 20-028	74,620	0	0	74,620	0	0.4
SB 20-162	38,376	0	0	38,376	0	0.2
SB 20-200	63,960	0	0	63,960	0	0.3
SB 20-204	10,660	0	0	10,660	0	0.0
SB 20-217	95,940	0	0	95,940	0	0.5
HB 20-1001	98,605	0	0	98,605	0	0.5
HB 20-1153	1,151,750	0	197,445	954,305	0	6.1
HB 20-1415	63,960	0	0	63,960	0	0.3
<b>TOTAL</b>	<b>\$40,981,598</b>	<b>\$0</b>	<b>\$2,455,154</b>	<b>\$38,526,444</b>	<b>\$0</b>	<b>281.5</b>
<b>INCREASE/(DECREASE)</b>	<b>\$4,366,182</b>	<b>\$0</b>	<b>\$945,772</b>	<b>\$3,420,410</b>	<b>\$0</b>	<b>11.6</b>
Percentage Change	11.9%	n/a	62.7%	9.7%	n/a	4.3%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions, including the annualization of FY 2019-20 salary survey and merit pay.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 19-218 Sunset medical marijuana	\$382,499	\$0	\$0	\$382,499	\$0	1.8
HB 19-1309 Mobile home park oversight	199,572	0	199,572	0	0	1.1
SB18-200 PERA	145,481	0	0	145,481	0	0.0
HB 19-1090 Publicly licensed marijuana companies	64,251	0	0	64,251	0	0.3
HB 19-1242 Board of Pharmacy regulate technicians	62,179	0	0	62,179	0	0.4
SB 19-005 Import prescription drugs from Canada	10,363	0	0	10,363	0	0.1
SB 19-236 Sunset PUC	(93,267)	0	0	(93,267)	0	(0.5)
SB 19-224 Sunset regulated marijuana	(77,722)	0	0	(77,722)	0	(0.5)
SB 19-223 Actions related to competency to proceed	(67,360)	0	0	(67,360)	0	(0.4)
HB 19-1230 Marijuana hospitality establishments	(18,135)	0	0	(18,135)	0	0.0
<b>TOTAL</b>	<b>\$607,861</b>	<b>\$0</b>	<b>\$199,572</b>	<b>\$408,289</b>	<b>\$0</b>	<b>2.3</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

**NON-PRIORITIZED REQUEST ITEMS:** The appropriation includes \$191,881 reappropriated funds to increase the appropriation for legal services for the Department of Natural Resources.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## CRIMINAL JUSTICE AND APPELLATE

This section provides funding for department staff who:

- Investigate and prosecute certain complex and multi-jurisdictional cases, environmental crimes, and foreign prosecutions;
- Investigate and prosecute Medicaid provider fraud and patient abuse;
- Investigate and prosecute securities, insurance, and workers' compensation fraud;
- Provide investigative and prosecutorial support to district attorneys for certain homicide cases;
- Represent the State in criminal appeal cases in state and federal courts;
- Ensure that the constitutional and statutory rights of victims are preserved in criminal cases being prosecuted or defended by the Department; and
- Support and provide funding for the Peace Officers Standards and Training (P.O.S.T.) Board.

Cash fund sources include money paid by insurance companies for the investigation and prosecution of insurance fraud, fees paid by peace officers for P.O.S.T. Board certification, and a statewide vehicle registration fee to support training for peace officers. Reappropriated fund sources include departmental indirect cost recoveries, money transferred from the Department of Public Safety from the Colorado Auto Theft Prevention Cash Fund and from the Victims Assistance and Law Enforcement (VALE) Fund, and money transferred from the Department of Regulatory Agencies from fees paid by regulated entities for the investigation and prosecution of securities fraud. Federal funds help support the Medicaid Fraud Control Unit.

CRIMINAL JUSTICE AND APPELLATE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$17,848,603	\$6,555,766	\$7,824,620	\$1,620,937	\$1,847,280	116.4
SB 19-030	55,139	55,139	0	0	0	0.6
SB 19-166	40,056	0	40,056	0	0	0.6
<b>TOTAL</b>	<b>\$17,943,798</b>	<b>\$6,610,905</b>	<b>\$7,864,676</b>	<b>\$1,620,937</b>	<b>\$1,847,280</b>	<b>117.6</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$17,943,798	\$6,610,905	\$7,864,676	\$1,620,937	\$1,847,280	117.6
Annualize prior year budget actions	551,171	384,756	81,294	33,834	51,287	0.4
POST job task analysis	150,000	0	150,000	0	0	0.0
Annualize prior year legislation	48,240	32,371	6,508	3,645	5,716	0.0
Indirect cost assessment	31,764	(167,651)	(427)	167,553	32,289	0.0
Technical adjustments	0	19	0	0	(19)	0.0
Eliminate MTCTF appropriation to POST	(1,036,766)	0	(1,036,766)	0	0	0.0
Special Prosecutions Unit	(563,750)	(563,750)	0	0	0	(4.1)
Appellate Unit	(173,796)	(173,796)	0	0	0	(2.5)
<b>HB 20-1360</b>	<b>\$16,950,661</b>	<b>\$6,122,854</b>	<b>\$7,065,285</b>	<b>\$1,825,969</b>	<b>\$1,936,553</b>	<b>111.4</b>
<b>TOTAL</b>	<b>\$16,950,661</b>	<b>\$6,122,854</b>	<b>\$7,065,285</b>	<b>\$1,825,969</b>	<b>\$1,936,553</b>	<b>111.4</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$993,137)</b>	<b>(\$488,051)</b>	<b>(\$799,391)</b>	<b>\$205,032</b>	<b>\$89,273</b>	<b>(6.2)</b>
Percentage Change	(5.5%)	(7.4%)	(10.2%)	12.6%	4.8%	(5.3%)

### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions.



ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$399,015	\$261,358	\$68,169	\$26,515	\$42,973	0.0
FY 19-20 Merit pay	128,017	99,259	13,125	7,319	8,314	0.0
FY 19-20 Appellate backlog	24,139	24,139	0	0	0	0.4
<b>TOTAL</b>	<b>\$551,171</b>	<b>\$384,756</b>	<b>\$81,294</b>	<b>\$33,834</b>	<b>\$51,287</b>	<b>0.4</b>

**POST JOB TASK ANALYSIS:** The appropriation includes \$150,000 cash funds from the P.O.S.T. Board Cash Fund in FY 2020-21 to conduct a Job Task Analysis (JTA) for Colorado peace officers.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$52,718	\$32,146	\$11,211	\$3,645	\$5,716	0.0
SB 19-030 Remedying improper guilty pleas	225	225	0	0	0	0.0
SB 19-166 POST board revoke certification	(4,703)	0	(4,703)	0	0	0.0
<b>TOTAL</b>	<b>\$48,240</b>	<b>\$32,371</b>	<b>\$6,508</b>	<b>\$3,645</b>	<b>\$5,716</b>	<b>0.0</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

**TECHNICAL ADJUSTMENTS:** The appropriation includes a fund source adjustment for the division's Medicaid match.

**ELIMINATE MTCF APPROPRIATION TO POST:** The appropriation eliminates the Marijuana Tax Cash Fund (MTCF) appropriation to the Peace Officer Standards and Training (POST) Board for a total reduction of \$1.0 million. This is a budget balancing action.

**SPECIAL PROSECUTIONS UNIT:** The appropriation includes a reduction of \$563,750 General Fund and 4.1 FTE. This eliminates a Criminal Investigator position. The Department plans to shift the other FTE to other vacancies within the Department. This is a budget balancing action.

**APPELLATE UNIT:** The appropriation includes a reduction of \$173,796 General Fund and 2.5 FTE (1.0 Assistant Attorney General (AAG) and 1.5 Fellows). The AAG position is currently vacant. This is a budget balancing action.

## WATER AND NATURAL RESOURCES

This section provides funding for department staff who protect and defend the interests of the State and its citizens in all areas of natural resources law and environmental law, including: the use of surface and ground water, oil and gas development, mining and minerals, wildlife, the clean-up of contaminated sites (pursuant to the federal Comprehensive Environmental Response, Compensation and Liability Act or "CERCLA"), the proper storage or disposal of hazardous waste, and protection of the state's air and water. Cash fund sources include the Colorado Water Conservation Board's Litigation Fund and money received by the Attorney General as an award of attorney fees or costs. Reappropriated funds are transferred from the Department of Public Health and Environment from the Hazardous Substance Response Fund.

WATER AND NATURAL RESOURCES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$2,209,747	\$800,845	\$827,877	\$581,025	\$0	13.4
<b>TOTAL</b>	<b>\$2,209,747</b>	<b>\$800,845</b>	<b>\$827,877</b>	<b>\$581,025</b>	<b>\$0</b>	<b>13.4</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$2,209,747	\$800,845	\$827,877	\$581,025	\$0	13.4
Annualize prior year budget actions	61,592	30,299	20,569	10,724	0	0.1
Annualize prior year legislation	7,570	3,051	2,229	2,290	0	0.0
Federal and Interstate Water Unit	(212,698)	(212,698)	0	0	0	(1.9)
Indirect cost assessment	(52)	0	0	(52)	0	0.0
<b>HB 20-1360</b>	<b>\$2,066,159</b>	<b>\$621,497</b>	<b>\$850,675</b>	<b>\$593,987</b>	<b>\$0</b>	<b>11.6</b>
<b>TOTAL</b>	<b>\$2,066,159</b>	<b>\$621,497</b>	<b>\$850,675</b>	<b>\$593,987</b>	<b>\$0</b>	<b>11.6</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$143,588)</b>	<b>(\$179,348)</b>	<b>\$22,798</b>	<b>\$12,962</b>	<b>\$0</b>	<b>(1.8)</b>
Percentage Change	(6.5%)	(22.4%)	2.8%	2.2%	n/a	(13.4%)

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$29,489	\$11,551	\$13,313	\$4,625	\$0	0.0
FY 19-20 Merit pay	22,203	8,848	7,256	6,099	0	0.0
FY 19-20 Assistant Deputy AG for Water	9,900	9,900	0	0	0	0.1
<b>TOTAL</b>	<b>\$61,592</b>	<b>\$30,299</b>	<b>\$20,569</b>	<b>\$10,724</b>	<b>\$0</b>	<b>0.1</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impact of S.B. 18-200 (PERA).

**FEDERAL AND INTERSTATE WATER UNIT:** The appropriation includes a reduction of \$212,698 General Fund and 1.9 FTE in the Federal and Interstate Water Unit. This eliminates an Assistant Attorney General (AAG) FTE and moves a Senior AAG position to a vacant position in the Colorado River Unit. This is a budget balancing action.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the division's indirect cost assessment.

## CONSUMER PROTECTION

This section provides funding for department staff who protect Colorado consumers against fraud and maintain a competitive business environment by enforcing state and federal laws regarding consumer protection, antitrust, consumer lending, mortgage fraud, predatory lending, debt collection, rent-to-own, and credit repair. This section also provides funding to support one attorney who is responsible for enforcing the Tobacco Master Settlement Agreement. Cash fund sources include fees paid by regulated entities, custodial money awarded to the Attorney General in consumer protection lawsuits, and tobacco settlement money. Reappropriated funds are transferred from the Department of Regulatory Agencies for consumer protection activities related to mortgage brokers.

CONSUMER PROTECTION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$5,863,399	\$1,802,915	\$3,890,515	\$169,969	\$0	53.0
SB 19-002	115,273	115,273	0	0	0	1.4
<b>TOTAL</b>	<b>\$5,978,672</b>	<b>\$1,918,188</b>	<b>\$3,890,515</b>	<b>\$169,969</b>	<b>\$0</b>	<b>54.4</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$5,978,672	\$1,918,188	\$3,890,515	\$169,969	\$0	54.4
Annualize prior year legislation	260,247	(107,743)	367,337	653	0	1.6
Annualize prior year budget actions	226,017	98,675	123,031	4,311	0	0.2
Data security and privacy	135,072	0	135,072	0	0	1.0
Indirect cost assessment	41,741	0	41,764	(23)	0	0.0
Consumer Protection Unit	0	(1,909,120)	1,909,120	0	0	0.0
<b>HB 20-1360</b>	<b>\$6,641,749</b>	<b>\$0</b>	<b>\$6,466,839</b>	<b>\$174,910</b>	<b>\$0</b>	<b>57.2</b>
<b>TOTAL</b>	<b>\$6,641,749</b>	<b>\$0</b>	<b>\$6,466,839</b>	<b>\$174,910</b>	<b>\$0</b>	<b>57.2</b>
INCREASE/(DECREASE)						
Percentage Change	11.1%	(100.0%)	66.2%	2.9%	n/a	5.1%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 19-002 Regulation of student loan servicers	\$232,055	(\$115,273)	\$347,328	\$0	\$0	1.6
SB 18-200 PERA	28,192	7,530	20,009	653	0	0.0
<b>TOTAL</b>	<b>\$260,247</b>	<b>(\$107,743)</b>	<b>\$367,337</b>	<b>\$653</b>	<b>\$0</b>	<b>1.6</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$172,853	\$57,374	\$112,228	\$3,251	\$0	0.0
FY 19-20 Merit pay	39,764	27,901	10,803	1,060	0	0.0
FY 19-20 Additional opioid staff	13,400	13,400	0	0	0	0.2
<b>TOTAL</b>	<b>\$226,017</b>	<b>\$98,675</b>	<b>\$123,031</b>	<b>\$4,311</b>	<b>\$0</b>	<b>0.2</b>

**DATA SECURITY AND PRIVACY:** The appropriation includes \$135,072 custodial cash funds and 1.0 FTE in FY 2020-21 to enhance the Consumer Protection Section's investigation and enforcement efforts in the area of data security and privacy.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

**CONSUMER PROTECTION UNIT:** The appropriation eliminates the General Fund appropriation to the Consumer Protection Unit. These funds can be replaced with custodial cash funds at the discretion of the Attorney General. This is a budget balancing action.

## SPECIAL PURPOSE

The section includes funding to cover 80.0 percent of the statutory minimum salary for Colorado's twenty-two district attorneys, for unanticipated legal and technology expenses, and for litigation expenses associated with significant lawsuits. Cash fund sources include tobacco settlement money, money received from the State Board of Land Commissioners from its Investment and Development Fund, and money received by the Attorney General as an award of attorney fees or costs.

SPECIAL PURPOSE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$4,150,868	\$3,200,868	\$950,000	\$0	\$0	1.0
SB 19-223	50,000	50,000	0	0	0	0.0
<b>TOTAL</b>	<b>\$4,200,868</b>	<b>\$3,250,868</b>	<b>\$950,000</b>	<b>\$0</b>	<b>\$0</b>	<b>1.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$4,200,868	\$3,250,868	\$950,000	\$0	\$0	1.0
Centrally appropriated line items	44,510	44,510	0	0	0	0.0
Annualize prior year budget actions	5,342	5,342	0	0	0	0.0
Tobacco litigation	(650,000)	0	(650,000)	0	0	0.0
Eliminate CORA/OML appropriation	(101,717)	(101,717)	0	0	0	(1.0)
Annualize prior year legislation	(49,635)	(49,635)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$3,449,368</b>	<b>\$3,149,368</b>	<b>\$300,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
HB 20-1369	(150,000)	(150,000)	0	0	0	0.0
<b>TOTAL</b>	<b>\$3,299,368</b>	<b>\$2,999,368</b>	<b>\$300,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$901,500)</b>	<b>(\$251,500)</b>	<b>(\$650,000)</b>	<b>\$0</b>	<b>\$0</b>	<b>(1.0)</b>
Percentage Change	(21.5%)	(7.7%)	(68.4%)	n/a	n/a	(100.0%)

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**CENTRALLY APPROPRIATED ITEMS:** The appropriation includes an increase of \$44,510 General Fund for supplemental state contributions to the Public Employees' Retirement Association (PERA) for District Attorneys.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions, including the annualization of FY 2019-20 salary survey.

**TOBACCO LITIGATION:** The appropriation includes a reduction to the appropriation for the Tobacco Litigation line item by \$650,000 cash funds, leaving a total appropriation of \$100,000 cash funds. This is a budget balancing action.

**ELIMINATE CORA/OML APPROPRIATION:** The appropriation includes a reduction of \$101,717 General Fund and 1.0 FTE to eliminate funding for an attorney focused on the Colorado Open Records Act (CORA) and Open Meetings Law (OML). This is a budget balancing action.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$365	\$365	\$0	\$0	\$0	0.0
SB 19-223 Actions related to competency to proceed	(50,000)	(50,000)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$49,635)</b>	<b>(\$49,635)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# Details

## LEGISLATIVE BRANCH

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

LEGISLATIVE DEPARTMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$56,653,663</b>	<b>\$55,197,745</b>	<b>\$90,000</b>	<b>\$1,365,918</b>	<b>\$0</b>	<b>306.9</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
General Assembly	21,608,206	21,518,206	90,000	0	0	73.4
State Auditor	11,299,351	10,309,213	0	990,138	0	78.7
Joint Budget Committee	2,117,909	2,117,909	0	0	0	16.0
Legislative Council	13,657,758	13,281,978	0	375,780	0	82.2
Committee on Legal Services	7,970,439	7,970,439	0	0	0	56.6
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207 (Long Bill)	\$4,859,877	\$4,609,877	\$0	\$250,000	\$0	0.0
SB 19-203 (Legislative Approp. Bill)	51,333,908	50,127,990	90,000	1,115,918	0	302.3
SB 19-015	16,062	16,062	0	0	0	0.1
SB 19-108	6,315	6,315	0	0	0	0.0
SB 19-244	221,925	221,925	0	0	0	1.8
SB 19-248	44,552	44,552	0	0	0	0.5
SB 19-252	(37,422)	(37,422)	0	0	0	0.0
HB 19-1024	28,790	28,790	0	0	0	0.4
HB 19-1176	7,351	7,351	0	0	0	0.0
HB 19-1184	89,474	89,474	0	0	0	0.9
HB 19-1188	81,911	81,911	0	0	0	0.9
HB 19-1314	920	920	0	0	0	0.0
HB 20-1345 (Legislative Approp. Bill)	0	0	0	0	0	0.0
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$54,872,111</b>	<b>\$53,636,489</b>	<b>\$90,000</b>	<b>\$1,145,622</b>	<b>\$0</b>	<b>306.5</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
General Assembly	21,112,972	21,022,972	90,000	0	0	74.4
State Auditor	10,945,592	9,925,750	0	1,019,842	0	78.7
Joint Budget Committee	2,094,596	2,094,596	0	0	0	16.0
Legislative Council	13,111,133	12,985,353	0	125,780	0	81.3
Committee on Legal Services	7,607,818	7,607,818	0	0	0	56.1
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360 (Long Bill)	\$4,990,689	\$4,990,689	\$0	\$0	\$0	0.0
HB 20-1345 (Legislative Approp. Bill)	50,778,612	49,542,990	90,000	1,145,622	0	306.6
SB 20-214	(100,867)	(100,867)	0	0	0	0.0
SB 20-220	(81,162)	(81,162)	0	0	0	0.0
HB 20-1379	(660,409)	(660,409)	0	0	0	0.0
HB 20-1416	(7,865)	(7,865)	0	0	0	(0.1)
HB 20-1423	(46,887)	(46,887)	0	0	0	0.0
<b>INCREASE/(DECREASE)</b>	<b>(\$1,781,552)</b>	<b>(\$1,561,256)</b>	<b>\$0</b>	<b>(\$220,296)</b>	<b>\$0</b>	<b>(0.4)</b>
Percentage Change	(3.1%)	(2.8%)	0.0%	(16.1%)	n/a	(0.1%)

# DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

## GENERAL ASSEMBLY

The General Assembly consists of 100 legislators, including 35 Senators and 65 Representatives. Senators serve four-year terms and Representatives serve two-year terms. All legislators are limited to serving for eight consecutive years in their chamber. As of the 2010 census, State Senators serve an average of 143,691 residents and State Representatives serve an average of 77,372 residents. The President of the Senate, Speaker of the House of Representatives, and the Majority and Minority Leaders of each chamber serve as the primary leadership for the legislature. These six leaders are responsible for the day-to-day operations of the House and Senate as well as serving as the oversight authority for the legislative service agencies.

The General Assembly meets annually beginning in early January for a 120-day regular session. The General Assembly may also conduct legislative business in special or extraordinary sessions if called to do so by the Governor or by written request of two-thirds of the legislators in each chamber. The General Assembly may establish committees that meet year-round or during the interim months to study timely and important issues and recommend related legislation. The General Assembly is primarily supported by General Fund, with a small amount of cash fund support from the sale of bill boxes, legislative directories, publications, and other services.

GENERAL ASSEMBLY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207 (Long Bill) <sup>1</sup>	\$2,533,877	\$2,533,877	\$0	\$0	\$0	0.0
SB 19-203 (Legislative Approp. Bill) <sup>2</sup>	19,087,264	18,997,264	90,000	0	0	73.4
SB 19-015 <sup>2</sup>	6,455	6,455	0	0	0	0.0
SB 19-108 <sup>2</sup>	6,315	6,315	0	0	0	0.0
SB 19-252 <sup>2</sup>	(37,422)	(37,422)	0	0	0	0.0
HB 19-1024 <sup>2</sup>	3,446	3,446	0	0	0	0.0
HB 19-1176 <sup>2</sup>	7,351	7,351	0	0	0	0.0
HB 19-1314 <sup>2</sup>	920	920	0	0	0	0.0
<b>TOTAL</b>	<b>\$21,608,206</b>	<b>\$21,518,206</b>	<b>\$90,000</b>	<b>\$0</b>	<b>\$0</b>	<b>73.4</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$21,608,206	\$21,518,206	\$90,000	\$0	\$0	73.4
Centrally appropriated line items <sup>1</sup>	180,812	180,812	0	0	0	0.0
Centrally appropriated line items <sup>2</sup>	(205,315)	(205,315)	0	0	0	0.0
Salary, benefits, and operating adjustments <sup>2</sup>	(16,126)	(16,126)	0	0	0	1.0
<b>HB 20-1360 (Long Bill)<sup>1</sup></b>	<b>\$2,714,689</b>	<b>\$2,714,689</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>HB 20-1345 (Legislative Approp. Bill)</b>	<b>\$18,852,888</b>	<b>\$18,762,888</b>	<b>\$90,000</b>	<b>\$0</b>	<b>\$0</b>	<b>74.4</b>
SB 20-214	(100,867)	(100,867)	0	0	0	0.0
SB 20-220	(81,162)	(81,162)	0	0	0	0.0
HB 20-1379	(225,689)	(225,689)	0	0	0	0.0
HB 20-1423	(46,887)	(46,887)	0	0	0	0.0
<b>TOTAL</b>	<b>\$21,112,972</b>	<b>\$21,022,972</b>	<b>\$90,000</b>	<b>\$0</b>	<b>\$0</b>	<b>74.4</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$495,234)</b>	<b>(\$495,234)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>1.0</b>
Percentage Change	(2.3%)	(2.3%)	0.0%	n/a	n/a	1.4%

<sup>1</sup> These FY 2019-20 appropriations and FY 2020-21 incremental changes are included in the figures reflected for HB 20-1360 (Long Bill).

<sup>2</sup> These FY 2019-20 appropriations and FY 2020-21 incremental changes are included in the figures reflected for HB 20-1345 (Legislative Approp. Bill).

FY 2020-21 APPROPRIATION – H.B. 20-1345 (LEGISLATIVE APPROPRIATION BILL) AND H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items, as detailed in the following table.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>HB 20-1360 (Long Bill)</b>						
Capitol Complex leased space adjustment	\$182,547	\$182,547	\$0	\$0	\$0	0.0
CORE adjustment	12,146	12,146	0	0	0	0.0
Workers' compensation adjustment	4,903	4,903	0	0	0	0.0
Payment to risk management / property funds adjustment	(11,994)	(11,994)	0	0	0	0.0
Legal services adjustment	(6,790)	(6,790)	0	0	0	0.0
<b>SUBTOTAL</b>	<b>\$180,812</b>	<b>\$180,812</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>HB 20-1345 (Legislative Appropriation Bill)</b>						
AED adjustment	15,333	15,333	0	0	0	0.0
SAED adjustment	15,333	15,333	0	0	0	0.0
PERA Direct Distribution	4,240	4,240	0	0	0	0.0
Reduction for Health, Life, and Dental in lieu of 5.0 percent General Fund base personal services reduction	(240,221)	(240,221)	0	0	0	0.0
<b>SUBTOTAL</b>	<b>(\$205,315)</b>	<b>(\$205,315)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>TOTAL</b>	<b>(\$24,503)</b>	<b>(\$24,503)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**SALARY, BENEFITS, AND OPERATING ADJUSTMENTS:** The appropriation includes a net decrease of \$16,126 General Fund and an increase of 1.0 FTE. This net decrease includes significant increases for a scheduled legislator salary increase, the increased employer PERA contribution, operating expenses, and Capitol Complex security. These increases are primarily offset by reductions in appropriations for travel, per diem, and mileage reimbursement expenses.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## STATE AUDITOR

The Legislative Audit Committee (LAC), which is comprised of four Representatives and four Senators, is responsible for reviewing and releasing audit reports and recommending special studies. The LAC also recommends to legislative leadership an appointment for State Auditor every five years. The State Auditor directs a nonpartisan agency that conducts performance, financial, and IT audits of all state departments and agencies, public colleges and universities, most special purpose authorities, any state entity that is designates as an enterprise, and other political subdivisions as required by law. The Office of the State Auditor is supported by General Fund and reappropriated funds received from state agencies.

STATE AUDITOR						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-203 (Legislative Approp. Bill)	\$11,299,351	\$10,309,213	\$0	\$990,138	\$0	78.7
<b>TOTAL</b>	<b>\$11,299,351</b>	<b>\$10,309,213</b>	<b>\$0</b>	<b>\$990,138</b>	<b>\$0</b>	<b>78.7</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$11,299,351	\$10,309,213	\$0	\$990,138	\$0	78.7
Salary, benefits, and operating adjustments	141,575	111,871	0	29,704	0	0.0

STATE AUDITOR						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Centrally appropriated line items	(346,558)	(346,558)	0	0	0	0.0
<b>HB 20-1345 (Legislative Approp. Bill)</b>	<b>\$11,094,368</b>	<b>\$10,074,526</b>	<b>\$0</b>	<b>\$1,019,842</b>	<b>\$0</b>	<b>78.7</b>
HB 20-1379	(148,776)	(148,776)	0	0	0	0.0
<b>TOTAL</b>	<b>\$10,945,592</b>	<b>\$9,925,750</b>	<b>\$0</b>	<b>\$1,019,842</b>	<b>\$0</b>	<b>78.7</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$353,759)</b>	<b>(\$383,463)</b>	<b>\$0</b>	<b>\$29,704</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	(3.1%)	(3.7%)	n/a	3.0%	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1345 (LEGISLATIVE APPROPRIATION BILL) ISSUE DESCRIPTIONS

**SALARY, BENEFITS, AND OPERATING ADJUSTMENTS:** The appropriation includes a net increase of \$141,575 total funds, including \$111,871 General Fund. This net increase includes significant increases for employee health, life, and dental benefits, the increased employer PERA contribution, and personal services. These increases are primarily offset by reductions in appropriations for contract services and travel expenses.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items, as detailed in the following table.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>HB 20-1345 (Legislative Appropriation Bill)</b>						
AED adjustment	\$10,170	\$10,170	\$0	\$0	\$0	0.0
SAED adjustment	10,170	10,170	0	0	0	0.0
Reduction for Health, Life, and Dental in lieu of 5.0 percent General Fund base						
personal services reduction	(350,905)	(350,905)	0	0	0	0.0
PERA Direct Distribution	(15,993)	(15,993)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$346,558)</b>	<b>(\$346,558)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## JOINT BUDGET COMMITTEE

The Joint Budget Committee (JBC), which is comprised of three Representatives and three Senators, is the General Assembly's permanent fiscal and budget review agency. The JBC holds hearings and reviews the budget requests from executive and judicial branch agencies, and introduces the annual appropriations bill (called the Long Bill) to fund the operations of State government. The JBC may also introduce supplemental bills when necessary to make mid-year adjustments to appropriations. The JBC provides oversight for a non-partisan, full-time professional staff.

Over the course of the budget cycle, JBC staff present departmental budget requests to the JBC and make recommendations for appropriations and budget-related operational or policy issues. JBC staff draft supplemental bills and the Long Bill based on JBC actions, and they draft and enroll all related amendments. In addition, JBC staff prepare fiscal analyses of other bills that are referred to the Appropriations Committees, draft appropriation clauses for such bills, and provide staff support for both Appropriations Committees. Finally, JBC staff respond to research requests from other committees, individual legislators, the press, and the public. The JBC staff office is supported by General Fund.



JOINT BUDGET COMMITTEE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-203 (Legislative Approp. Bill)	\$2,117,909	\$2,117,909	\$0	\$0	\$0	16.0
<b>TOTAL</b>	<b>\$2,117,909</b>	<b>\$2,117,909</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>16.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$2,117,909	\$2,117,909	\$0	\$0	\$0	16.0
Salary, benefits, and operating adjustments	99,500	99,500	0	0	0	0.0
Centrally appropriated line items	(88,434)	(88,434)	0	0	0	0.0
<b>HB 20-1345 (Legislative Approp. Bill)</b>	<b>\$2,128,975</b>	<b>\$2,128,975</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>16.0</b>
HB 20-1379	(34,379)	(34,379)	0	0	0	0.0
<b>TOTAL</b>	<b>\$2,094,596</b>	<b>\$2,094,596</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>16.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$23,313)</b>	<b>(\$23,313)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	(1.1%)	(1.1%)	n/a	n/a	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1345 (LEGISLATIVE APPROPRIATION BILL) ISSUE DESCRIPTIONS

**SALARY, BENEFITS, AND OPERATING ADJUSTMENTS:** The appropriation includes an increase of \$99,500 General Fund, including increases for employee health, life, and dental benefits, transportation stipends, professional development and IT software licenses, and the increased employer PERA contribution.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items, as detailed in the following table.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>HB 20-1345 (Legislative Appropriation Bill)</b>						
AED adjustment	\$2,353	\$2,353	\$0	\$0	\$0	0.0
SAED adjustment	2,353	2,353	0	0	0	0.0
Reduction for Health, Life, and Dental in lieu of 5.0 percent General Fund base						
personal services reduction	(88,136)	(88,136)	0	0	0	0.0
PERA Direct Distribution	(5,004)	(5,004)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$88,434)</b>	<b>(\$88,434)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## LEGISLATIVE COUNCIL

The Legislative Council, which is comprised of nine Representatives and nine Senators, is the legislative oversight committee for the Legislative Council Staff. The Council is responsible for approving the Legislative Council Staff budget, approving written requests for interim study committees, reviewing legislation created by committees that meet during the legislative interim, and reviewing the ballot information booklet prepared by Legislative Council Staff.

The nonpartisan Legislative Council staff provide the following services to the legislature and the public:

- responding to research requests from legislators and requests for information or aid from constituents;
- conducting special projects and studies and preparing reports, handbooks, memoranda, and issue briefs of interest to legislators and their constituents;

- staffing most legislative committees;
- preparing fiscal notes for introduced bills, interim committee bill drafts, and initiated measures;
- preparing quarterly economic and revenue forecasts, as well as various school finance and budget-related forecasts and reports;
- providing centralized services for the legislative branch, including information technology, printing, accounting, and construction management;
- co-facilitating the initiative review and comment process related to initiated amendments to the State Constitution or the Colorado Revised Statutes, and publishing the text and title of each statewide ballot measure and distributing the ballot information booklet (the “Blue Book”) concerning statewide ballot measures; and
- providing services for visitors to the State Capitol.

The Legislative Council Staff office is supported by General Fund and reappropriated funds received from the Department of Education and other legislative agencies.

LEGISLATIVE COUNCIL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207 (Long Bill) <sup>1</sup>	\$2,326,000	\$2,076,000	\$0	\$250,000	\$0	0.0
SB 19-203 (Legislative Approp. Bill) <sup>2</sup>	11,095,314	10,969,534	0	125,780	0	79.6
SB 19-015 <sup>2</sup>	9,607	9,607	0	0	0	0.1
SB 19-248 <sup>2</sup>	36,997	36,997	0	0	0	0.4
HB 19-1024 <sup>2</sup>	18,455	18,455	0	0	0	0.3
HB 19-1184 <sup>2</sup>	89,474	89,474	0	0	0	0.9
HB 19-1188 <sup>2</sup>	81,911	81,911	0	0	0	0.9
HB 20-1345 <sup>2</sup>	0	0	0	0	0	0.0
<b>TOTAL</b>	<b>\$13,657,758</b>	<b>\$13,281,978</b>	<b>\$0</b>	<b>\$375,780</b>	<b>\$0</b>	<b>82.2</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$13,657,758	\$13,281,978	\$0	\$375,780	\$0	82.2
Ballot analysis cost adjustment <sup>1</sup>	200,000	200,000	0	0	0	0.0
Centrally appropriated line items <sup>2</sup>	(337,390)	(337,390)	0	0	0	0.0
Annualize prior year budget actions <sup>1</sup>	(250,000)	0	0	(250,000)	0	0.0
Salary, benefits, and operating adjustments <sup>2</sup>	(8,496)	(8,496)	0	0	0	(0.8)
<b>HB 20-1360 (Long Bill)<sup>1</sup></b>	<b>\$2,276,000</b>	<b>\$2,276,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>HB 20-1345 (Legislative Approp. Bill)<sup>2</sup></b>	<b>\$10,985,872</b>	<b>\$10,860,092</b>	<b>\$0</b>	<b>\$125,780</b>	<b>\$0</b>	<b>81.4</b>
HB 20-1379	(142,874)	(142,874)	0	0	0	0.0
HB 20-1416	(7,865)	(7,865)	0	0	0	(0.1)
<b>TOTAL</b>	<b>\$13,111,133</b>	<b>\$12,985,353</b>	<b>\$0</b>	<b>\$125,780</b>	<b>\$0</b>	<b>81.3</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$546,625)</b>	<b>(\$296,625)</b>	<b>\$0</b>	<b>(\$250,000)</b>	<b>\$0</b>	<b>(0.9)</b>
Percentage Change	(4.0%)	(2.2%)	n/a	(66.5%)	n/a	(1.1%)

<sup>1</sup> These FY 2019-20 appropriations and FY 2020-21 incremental changes are included in the figures reflected for HB 20-1360 (Long Bill).

<sup>2</sup> These FY 2019-20 appropriations and FY 2020-21 incremental changes are included in the figures reflected for HB 20-1345 (Legislative Approp. Bill).

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1345 authorizes up to \$24,000 of the General Fund appropriation to the Legislative Department for FY 2019-20 to be expended by the Legislative Council in FY 2020-21 for new member orientation.

FY 2020-21 APPROPRIATION – H.B. 20-1345 (LEGISLATIVE APPROPRIATION BILL) AND H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**BALLOT ANALYSIS COST ADJUSTMENT:** The appropriation includes an increase of \$200,000 for publishing the text and title of each 2020 statewide ballot measure and distributing the ballot information booklet (the “Blue Book”).

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items, as detailed in the following table.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>HB 20-1345 (Legislative Appropriation Bill)</b>						
AED adjustment	\$36,426	\$36,426	\$0	\$0	\$0	0.0
SAED adjustment	36,426	36,426	0	0	0	0.0
Reduction for Health, Life, and Dental in lieu of 5.0 percent General Fund base personal services reduction	(405,496)	(405,496)	0	0	0	0.0
PERA Direct Distribution	(4,746)	(4,746)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$337,390)</b>	<b>(\$337,390)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes a reduction of \$250,000 reappropriated funds transferred from the Department of Education for a biennial cost of living study. Legislative Council staff, pursuant to Section 22-54-104 (5)(c)(III)(A), C.R.S., is required to certify the cost of living factor for each school district every two years based on a cost of living analysis that is typically conducted through a contract. This study was funded in FY 2019-20, and will not need to be funded again until FY 2021-22.

**SALARY, BENEFITS, AND OPERATING ADJUSTMENTS:** The appropriation includes a net decrease of \$8,496 General Fund and 0.8 FTE. This net decrease includes significant increases for employee health, life, and dental benefits, the increased employer PERA contribution, IT operating expenses, and transportation stipends. These increases are primarily offset by reductions in appropriations for operating, personal services, and travel expenses.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## COMMITTEE ON LEGAL SERVICES

The Committee on Legal Services, which is comprised of five Representatives and five Senators, is the legislative oversight committee for the Office of Legislative Legal Services (OLLS) and oversees the review of executive branch agency rules among other legislative duties. The duties and responsibilities of OLLS include:

- drafting and preparing bills, resolutions, memorials, amendments, conference committee reports, and an annual digest of enacted bills;
- editing, collating, and revising laws enacted each legislative session, and contracting for the publication of the annual Session Laws and the Colorado Revised Statutes;
- reviewing rules promulgated by executive agencies to determine whether they are within the powers delegated to the agency;
- co-facilitating the initiative review and comment process related to initiated amendments to the State Constitution or the Colorado Revised Statutes;
- performing legal research and issuing legal opinions for members of the General Assembly, and providing guidance and assistance to members of the General Assembly and legislative service agencies in connection with requests for records made pursuant to the Colorado Open Records Act and on issues involving legislative ethics and certain personnel issues;

- coordinating litigation involving the General Assembly, and providing legal assistance in connection with contracts and other business done by the General Assembly and its legislative service agencies;
- assisting the Committee on Legal Services, the Executive Committee of the Legislative Council, the Statutory Revision Committee, and other legislative committees; and
- providing assistance to the Colorado Commission on Uniform State Laws.

The Office of Legislative Workplace Relations (OLRW) operates within OLLS. The OLRW provides services and training for the General Assembly, its member and employees, and the legislative service agencies concerning:

- employee relations;
- workplace culture, including investigation of complaints under the workplace expectations policy; and
- workplace harassment, including investigation of complaints under the workplace harassment policy.

The OLLS and OLRW are supported by General Fund.

COMMITTEE ON LEGAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-203 (Legislative Approp. Bill)	\$7,734,070	\$7,734,070	\$0	\$0	\$0	54.6
SB 19-244	221,925	221,925	0	0	0	1.8
SB 19-248	7,555	7,555	0	0	0	0.1
HB 19-1024	6,889	6,889	0	0	0	0.1
<b>TOTAL</b>	<b>\$7,970,439</b>	<b>\$7,970,439</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>56.6</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$7,970,439	\$7,970,439	\$0	\$0	\$0	56.6
Salary, benefits, and operating adjustments	19,207	19,207	0	0	0	(0.5)
Centrally appropriated line items	(273,137)	(273,137)	0	0	0	0.0
<b>HB 20-1345 (Legislative Approp. Bill)</b>	<b>\$7,716,509</b>	<b>\$7,716,509</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>56.1</b>
HB 20-1379	(108,691)	(108,691)	0	0	0	0.0
<b>TOTAL</b>	<b>\$7,607,818</b>	<b>\$7,607,818</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>56.1</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$362,621)</b>	<b>(\$362,621)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>(0.5)</b>
Percentage Change	(4.5%)	(4.5%)	n/a	n/a	n/a	(0.9%)

#### FY 2020-21 APPROPRIATION – H.B. 20-1345 (LEGISLATIVE APPROPRIATION BILL) ISSUE DESCRIPTIONS

**SALARY, BENEFITS, AND OPERATING ADJUSTMENTS:** The appropriation includes a net increase of \$19,207 General Fund and a 0.5 FTE decrease. This net increase includes significant increases for computer programming services related to publication of the Colorado Revised Statutes, the increased employer PERA contribution, employee health, life, and dental benefits, and transportation stipends. These increases primarily offset by reductions in appropriations for operating and travel expenses.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items, as detailed in the following table.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>HB 20-1345 (Legislative Appropriation Bill)</b>						
AED adjustment	\$17,585	\$17,585	\$0	\$0	\$0	0.0
SAED adjustment	17,585	17,585	0	0	0	0.0
Reduction for Health, Life, and Dental in lieu of 5.0 percent General Fund base personal services reduction	(296,373)	(296,373)	0	0	0	0.0
PERA Direct Distribution	(11,934)	(11,934)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$273,137)</b>	<b>(\$273,137)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# Details

## DEPARTMENT OF LOCAL AFFAIRS

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

DEPARTMENT OF LOCAL AFFAIRS						
	TOTAL FUNDS	GENERAL FUND <sup>1,2</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$349,121,165</b>	<b>\$48,817,338</b>	<b>\$205,682,582</b>	<b>\$12,565,874</b>	<b>\$82,055,371</b>	<b>189.7</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Executive Director's Office	10,405,399	3,375,490	1,528,620	3,983,227	1,518,062	14.2
Property Taxation	3,820,174	2,336,849	1,226,840	256,485	0	50.4
Division of Housing	109,537,076	21,353,908	17,672,472	1,900,943	68,609,753	60.3
Division of Local Government	225,358,516	21,751,091	185,254,650	6,425,219	11,927,556	64.8
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$341,832,311	\$42,289,825	\$204,856,082	\$12,565,874	\$82,120,530	184.7
HB 19-1009	1,000,000	173,500	826,500	0	0	0.9
HB 19-1239	6,000,000	6,000,000	0	0	0	1.4
HB 19-1245	3,398	3,398	0	0	0	0.0
HB 19-1292	249,454	249,454	0	0	0	2.7
HB 20-1251	36,002	101,161	0	0	(65,159)	0.0
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$333,692,750</b>	<b>\$41,556,437</b>	<b>\$195,000,550</b>	<b>\$15,178,663</b>	<b>\$81,957,100</b>	<b>199.4</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Executive Director's Office	9,536,926	2,810,825	1,126,391	4,264,590	1,335,120	20.2
Property Taxation	3,922,585	2,417,964	1,244,203	260,418	0	50.4
Division of Housing	110,685,005	22,291,059	17,470,015	2,217,615	68,706,316	69.1
Division of Local Government	209,548,234	14,036,589	175,159,941	8,436,040	11,915,664	59.7
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360	\$337,148,712	\$41,432,649	\$200,338,105	\$13,420,858	\$81,957,100	199.8
HB 20-1019	250,000	250,000	0	0	0	0.0
HB 20-1095	26,215	26,215	0	0	0	0.5
HB 20-1371	(1,866,208)	(1,866,208)	0	0	0	(0.9)
HB 20-1379	(323,311)	(161,219)	(44,897)	(117,195)	0	0.0
HB 20-1399	(1,542,658)	1,875,000	(5,292,658)	1,875,000	0	0.0
<b>INCREASE/(DECREASE)</b>	<b>(\$15,428,415)</b>	<b>(\$7,260,901)</b>	<b>(\$10,682,032)</b>	<b>\$2,612,789</b>	<b>(\$98,271)</b>	<b>9.7</b>
Percentage Change	(4.4%)	(14.9%)	(5.2%)	20.8%	(0.1%)	5.1%

<sup>1</sup> Includes General Fund Exempt.

<sup>2</sup> Includes \$4,375,000 in FY 2019-20 and FY 2020-21 that is exempt from the statutory limit on state General Fund appropriations pursuant to Section 24-75-201.1, C.R.S.

**GENERAL FUND EXEMPT:** The General Fund Exempt Account was created by Referendum C, passed by Colorado voters in November 2005. Referendum C allowed the State to retain for FY 2005-06 through FY 2009-10 all revenue collected in excess of the TABOR limit and for FY 2010-11 and subsequent fiscal years all revenues in excess of the TABOR limit but less than the excess state revenues cap. The retained revenue must be placed in the General Fund Exempt Account. The table below shows the amounts appropriated from the General Fund Exempt Account for FY 2019-20 and FY 2020-21 for volunteer firefighter retirement plans and death and disability insurance, pursuant to

Section 24-77-103.6 (2)(c), C.R.S. For additional information on General Fund Exempt appropriations, see Appendix D.

GENERAL FUND SUMMARY	TOTAL GENERAL FUND	GENERAL FUND	GENERAL FUND EXEMPT
FY 2019-20	\$48,817,338	\$44,472,338	\$4,345,000
FY 2020-21	41,556,437	37,211,437	4,345,000

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of Local Affairs are annotated with the "(I)". For additional information, see Appendix K.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$261,088,522	\$4,375,000	\$173,046,230	\$1,710,192	\$81,957,100

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### EXECUTIVE DIRECTOR'S OFFICE

The Executive Director's Office (EDO) is responsible for the management and administration of the Department, including accounting, budgeting, human resources, and other functions statutorily assigned to the Department such as administration of the Moffat Tunnel Improvement District. The State Demography Office provides demographic data and analysis for the state. This includes providing support to other state agencies, federal partners, local governments, and the public about demographic trends at the state, regional, county, and municipal levels. Cash fund sources for the EDO include marijuana tax revenues, lease revenues generated from the operation of the Moffat Tunnel, Conservation Trust Fund revenues, and various other sources. Reappropriated funds include indirect cost recoveries and severance tax revenues and federal mineral lease revenues transferred from the Local Government Mineral and Energy Impact Grants and Disbursements line item.

EXECUTIVE DIRECTOR'S OFFICE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$10,361,644	\$3,266,576	\$1,528,620	\$3,983,227	\$1,583,221	14.2
HB 19-1009	2,620	2,620	0	0	0	0.0
HB 19-1292	41,135	41,135	0	0	0	0.0
HB 20-1251	0	65,159	0	0	(65,159)	0.0
<b>TOTAL</b>	<b>\$10,405,399</b>	<b>\$3,375,490</b>	<b>\$1,528,620</b>	<b>\$3,983,227</b>	<b>\$1,518,062</b>	<b>14.2</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$10,405,399	\$3,375,490	\$1,528,620	\$3,983,227	\$1,518,062	14.2
Transfer State Demography Office to new line	567,591	468,243	80,958	0	18,390	6.0
Indirect cost assessment	16,293	(143,689)	13,277	143,689	3,016	0.0
Annualize prior year legislation	7,008	482	0	6,526	0	0.0
Technical changes	0	(1,540)	1,540	0	0	0.0
Centrally appropriated line items	(626,887)	(594,712)	(259,620)	339,143	(111,698)	0.0
Annualize prior year budget actions	(414,167)	(132,230)	(65,215)	(124,072)	(92,650)	0.0
Moffat Tunnel District spending authority adjustment	(95,000)	0	(95,000)	0	0	0.0
<b>HB 20-1360</b>	<b>\$9,860,237</b>	<b>\$2,972,044</b>	<b>\$1,204,560</b>	<b>\$4,348,513</b>	<b>\$1,335,120</b>	<b>20.2</b>
HB 20-1379	(323,311)	(161,219)	(44,897)	(117,195)	0	0.0
HB 20-1399	0	0	(33,272)	33,272	0	0.0
<b>TOTAL</b>	<b>\$9,536,926</b>	<b>\$2,810,825</b>	<b>\$1,126,391</b>	<b>\$4,264,590</b>	<b>\$1,335,120</b>	<b>20.2</b>

EXECUTIVE DIRECTOR'S OFFICE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>INCREASE/(DECREASE)</b>	(\$868,473)	(\$564,665)	(\$402,229)	\$281,363	(\$182,942)	6.0
Percentage Change	(8.3%)	(16.7%)	(26.3%)	7.1%	(12.1%)	42.3%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1251 modifies the FY 2019-20 appropriation to replace \$65,159 federal funds determined to be uncollectible with \$65,159 General Fund for PERA direct distribution payments, which help address PERA's unfunded liability.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**TRANSFER STATE DEMOGRAPHY OFFICE TO NEW LINE:** The appropriation includes an increase of \$567,591 total funds, including \$468,243 General Fund, \$80,958 cash funds, \$18,390 federal funds, and an associated 6.0 FTE. This is part of a budget-neutral transfer of the State Demography Office (SDO) and related funding from the Department's Division of Local Government to the Executive Director's Office.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in this division's indirect cost assessment due to the relocation of the State Demography Office and its corresponding indirect costs. The amount of General Fund expenditures in the Executive Director's Office offset by reappropriated funds from indirect cost recoveries was increased by \$140,000 over the Department's original request as a budget balancing action.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impacts of prior year legislation, as detailed in the following table.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$6,526	\$0	\$0	\$6,526	\$0	0.0
HB 19-1292 Colorado Resiliency Office	1,562	1,562	0	0	0	0.0
HB 19-1309 Regulation of Mobile Home Parks	0	0	0	0	0	0.0
HB 19-1009 Substance Use Disorder Recovery	(1,080)	(1,080)	0	0	0	0.0
<b>TOTAL</b>	<b>\$7,008</b>	<b>\$482</b>	<b>\$0</b>	<b>\$6,526</b>	<b>\$0</b>	<b>0.0</b>

**TECHNICAL CHANGES:** The appropriation includes a technical adjustment to shift \$1,540 General Fund to cash funds to correct the out-year impact of H.B. 19-1009 (Substance Use Disorder Recovery).

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments for centrally appropriated line items, as detailed in the following table, including a Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction for budget balancing purposes.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
CORE adjustment	\$125,963	\$39,710	\$16,775	\$45,865	\$23,613	0.0
Health, life, and dental adjustment	115,285	14,341	37,339	52,269	11,336	0.0
Legal services adjustment	55,132	253,919	(187,826)	(6,098)	(4,863)	0.0
Capitol Complex leased space adjustment	51,215	23,663	750	23,343	3,459	0.0
OIT Colorado Digital Services	31,244	15,622	0	15,622	0	0.0
AED adjustment	10,824	(11,177)	1,950	7,460	12,591	0.0
SAED adjustment	10,824	(11,177)	1,950	7,460	12,591	0.0
Short-term disability adjustment	321	(457)	89	249	440	0.0



CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Payments to OIT adjustment	(655,881)	(639,710)	(109,302)	248,911	(155,780)	0.0
Health, Life, and Dental decrease in lieu of personal services base reduction	(235,018)	(235,018)	0	0	0	0.0
OIT Budget request package	(83,840)	(25,915)	(11,429)	(31,411)	(15,085)	0.0
Leased space adjustment	(13,000)	(2,155)	0	(10,845)	0	0.0
Payment to risk management / property funds adjustment	(12,054)	(3,634)	(3,357)	(5,063)	0	0.0
PERA Direct Distribution	(10,942)	(3,388)	(2,825)	(4,729)	0	0.0
Annual fleet supplemental true-up	(8,753)	(7,880)	0	(873)	0	0.0
Workers' compensation adjustment	(8,207)	(1,456)	(3,734)	(3,017)	0	0.0
<b>TOTAL</b>	<b>(\$626,887)</b>	<b>(\$594,712)</b>	<b>(\$259,620)</b>	<b>\$339,143</b>	<b>(\$111,698)</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes a reduction of \$414,167 total funds to reflect the allocation of the centrally appropriated amount for salary increases awarded in FY 2019-20.

**MOFFAT TUNNEL DISTRICT SPENDING AUTHORITY ADJUSTMENT:** The appropriation includes an ongoing reduction of \$95,000 cash funds for the Moffat Tunnel Improvement District. This line item has only expended about \$70 annually since FY 2012-13, with an exception in FY 2017-18 when \$5,456 was paid to respond to a Request for Information to the JBC.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## PROPERTY TAXATION

This section provides funding for the Division of Property Taxation, which issues appraisal standards and provides training and technical assistance to county assessors; values multi-county companies; and grants taxation exemptions. This section also provides funding for the State Board of Equalization, which supervises the administration of property tax laws by local county assessors, as well as for the Board of Assessment Appeals, which hears petitions for appeal on valuation, abatements, exemptions, and valuation of state-assessed properties. Cash fund sources include property tax exemption fee revenue and property tax assessment appeal filing fee revenue. Reappropriated funds are from severance tax revenues and federal mineral lease revenues transferred from the Local Government Mineral and Energy Impact Grants and Disbursements line item within the Division of Local Government.

PROPERTY TAXATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$3,820,174	\$2,336,849	\$1,226,840	\$256,485	\$0	50.4
<b>TOTAL</b>	<b>\$3,820,174</b>	<b>\$2,336,849</b>	<b>\$1,226,840</b>	<b>\$256,485</b>	<b>\$0</b>	<b>50.4</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$3,820,174	\$2,336,849	\$1,226,840	\$256,485	\$0	50.4
Annualize prior year budget actions	103,223	67,655	26,043	9,525	0	0.0
Annualize prior year legislation	19,685	13,460	4,479	1,746	0	0.0
Indirect cost assessment	(20,497)	0	(13,159)	(7,338)	0	0.0
<b>HB 20-1360</b>	<b>\$3,922,585</b>	<b>\$2,417,964</b>	<b>\$1,244,203</b>	<b>\$260,418</b>	<b>\$0</b>	<b>50.4</b>
<b>TOTAL</b>	<b>\$3,922,585</b>	<b>\$2,417,964</b>	<b>\$1,244,203</b>	<b>\$260,418</b>	<b>\$0</b>	<b>50.4</b>
<b>INCREASE/(DECREASE)</b>						
Percentage Change	2.7%	3.5%	1.4%	1.5%	0.0%	(0.0%)

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes \$103,223 total funds for annualization of FY 2019-20 salary survey.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an increase of \$19,685 total funds for the out-year impact of S.B. 18-200 (Eliminate Unfunded PERA Liability).

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in this division's indirect cost assessment.

### DIVISION OF HOUSING

The Division of Housing provides financial and technical assistance designed to increase the availability of housing to individuals with a low income, individuals with disabilities, and elderly individuals. Financial assistance programs include state and federal grants, loans, loan guarantees, equity investments, and subordinated debt for construction or rehabilitation of affordable housing. The Division provides technical assistance to local communities, including helping communities identify housing needs and apply for and secure available private and public financing for housing projects. The Division develops and updates various studies on the availability and affordability of housing in Colorado. Finally, the Division works with local governments to reform local development and building regulations in ways that lower housing production costs.

Significant cash fund sources include: marijuana tax revenues; unspent General Fund appropriations to the Department of Public Safety for community corrections programs that are credited to the Housing Assistance for Persons Transitioning from the Criminal or Juvenile Justice System Cash Fund; and fee revenue related to the regulation of manufactured housing. Reappropriated fund sources include: severance tax revenues and federal mineral lease revenues transferred from the Local Government Mineral and Energy Impact Grants and Disbursements line item within the Division of Local Government; money transferred from the Department of Health Care Policy and Financing for the Medicaid home modification benefit; and funds transferred within the Division to reflect amounts used for administration of affordable housing construction grants and loans. Federal funds are from the U.S. Department of Housing and Urban Development for rental vouchers and other housing-related grants and programs.

DIVISION OF HOUSING						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$108,500,296	\$21,143,628	\$16,845,972	\$1,900,943	\$68,609,753	59.4
HB 19-1009	997,380	170,880	826,500	0	0	0.9
HB 19-1245	3,398	3,398	0	0	0	0.0
HB 20-1251	36,002	36,002	0	0	0	0.0
<b>TOTAL</b>	<b>\$109,537,076</b>	<b>\$21,353,908</b>	<b>\$17,672,472</b>	<b>\$1,900,943</b>	<b>\$68,609,753</b>	<b>60.3</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$109,537,076	\$21,353,908	\$17,672,472	\$1,900,943	\$68,609,753	60.3
Annualize prior year legislation	1,048,058	584,869	3,109	447,092	12,988	6.4
Affordable housing administrative reappropriation	172,620	0	0	172,620	0	2.0
Annualize prior year budget actions	170,859	24,242	18,079	55,310	73,228	0.4
Indirect cost assessment	164,444	0	12,447	141,650	10,347	0.0
Changes related to HB 20-1262	0	500,000	0	(500,000)	0	0.0
Technical changes	(408,052)	(171,960)	(236,092)	0	0	0.0
<b>HB 20-1360</b>	<b>\$110,685,005</b>	<b>\$22,291,059</b>	<b>\$17,470,015</b>	<b>\$2,217,615</b>	<b>\$68,706,316</b>	<b>69.1</b>
<b>TOTAL</b>	<b>\$110,685,005</b>	<b>\$22,291,059</b>	<b>\$17,470,015</b>	<b>\$2,217,615</b>	<b>\$68,706,316</b>	<b>69.1</b>

DIVISION OF HOUSING						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>INCREASE/(DECREASE)</b>	\$1,147,929	\$937,151	(\$202,457)	\$316,672	\$96,563	8.8
Percentage Change	1.0%	4.4%	(1.1%)	16.7%	0.1%	14.6%

#### FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1251 increases the FY 2019-20 appropriation by \$36,002 General Fund to correct the FY 2019-20 appropriation for H.B. 19-1245 (Affordable Housing Funding from Vendor Fee Changes).

#### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impacts of prior year legislation, as detailed in the following table.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 18-1326 Transition from Institutional Settings	\$573,240	\$573,240	\$0	\$0	\$0	0.0
HB 19-1245 Vendor Fee Changes	482,700	42,180	0	440,520	0	6.3
SB 18-200 PERA	27,040	4,371	3,109	6,572	12,988	0.0
HB 19-1009 Substance Use Disorder Recovery	1,080	1,080	0	0	0	0.1
HB 19-1309 Regulation of Mobile Home Parks	0	0	0	0	0	0.0
HB 19-1245 Vendor Fee Changes Supplemental Adjustment	(36,002)	(36,002)	0	0	0	0.0
<b>TOTAL</b>	<b>\$1,048,058</b>	<b>\$584,869</b>	<b>\$3,109</b>	<b>\$447,092</b>	<b>\$12,988</b>	<b>6.4</b>

**AFFORDABLE HOUSING ADMINISTRATIVE REAPPROPRIATION:** The appropriation includes a \$172,620 increase in reappropriated funds from the Affordable Housing Construction Grants and Loans line item to administer the affordable housing program. This funding will allow the Department to utilize the full 3.0 percent of administrative costs associated with the Housing Development Grant (HDG) Fund permitted by statute.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out-year impacts of prior year budget actions, as detailed in the table below.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 Salary survey	\$151,393	\$24,242	\$18,079	\$35,844	\$73,228	0.0
FY 2019-20 HCPF Home Modification Waiver Program	14,231	0	0	14,231	0	0.3
FY 2019-20 HCPF Individual Residential Support Services	5,235	0	0	5,235	0	0.1
<b>TOTAL</b>	<b>\$170,859</b>	<b>\$24,242</b>	<b>\$18,079</b>	<b>\$55,310</b>	<b>\$73,228</b>	<b>0.4</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in this division's indirect cost assessment.

**CHANGES RELATED TO HB 20-1262:** The appropriation includes a reduction of \$500,000 reappropriated funds from the Department of Corrections for "Parolee Housing Support" and a corresponding \$500,000 General Fund appropriation. House Bill 20-1262 modifies the existing method of funding housing assistance for persons transitioning (HAPT) from the criminal or juvenile justice system. Instead, the General Assembly may annually make an appropriation from the General Fund directly to DOLA for these services.

**TECHNICAL CHANGES:** The appropriation includes technical changes for the following:

- shifts \$1,540 General Fund to cash funds to correct the out-year impact of H.B. 19-1009 (Substance Use Disorder Recovery); and
- includes a \$408,052 cash funds reduction from the Housing Assistance for Persons Transitioning from the Criminal or Juvenile Justice System Cash Fund.

## DIVISION OF LOCAL GOVERNMENT

This division provides information and training for local governments concerning budget development, purchasing, demographics, land use planning, and regulatory issues. This division also manages state- and federally-funded programs that support local government infrastructure and services. To provide this assistance to local governments, this division operates eight field offices. Significant cash fund sources include: (1) severance tax revenues; (2) federal mineral lease revenues; (3) net lottery proceeds; (4) limited gaming revenues; and (5) marijuana tax revenues. Reappropriated funds are primarily from severance tax revenues and federal mineral lease revenues transferred within this division from the Local Government Mineral and Energy Impact Grants and Disbursements line item. Federal funds in this section include the Community Services Block Grant and the Community Development Block Grant.

DIVISION OF LOCAL GOVERNMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$219,150,197	\$15,542,772	\$185,254,650	\$6,425,219	\$11,927,556	60.7
HB 19-1239	6,000,000	6,000,000	0	0	0	1.4
HB 19-1292	208,319	208,319	0	0	0	2.7
<b>TOTAL</b>	<b>\$225,358,516</b>	<b>\$21,751,091</b>	<b>\$185,254,650</b>	<b>\$6,425,219</b>	<b>\$11,927,556</b>	<b>64.8</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$225,358,516	\$21,751,091	\$185,254,650	\$6,425,219	\$11,927,556	64.8
Indirect cost assessment	83,468	0	20,914	78,923	(16,369)	0.0
Partially refinance Firefighter Heart and Circulatory Malfunction Benefits appropriation	0	(250,000)	250,000	0	0	0.0
Gray & Black Market Marijuana Enforcement reduction	(5,000,000)	0	(5,000,000)	0	0	0.0
Annualize prior year legislation	(4,053,409)	(4,024,454)	(46,372)	13,972	3,445	1.3
Crime Prevention Initiative Lending Program unused funds adjustment	(1,000,000)	(1,000,000)	0	0	0	0.0
Reduce Crime Prevention Initiative Grant Program	(1,000,000)	(1,000,000)	0	0	0	0.0
Reduce Defense Council on First Appearance Grant Program	(997,145)	(997,145)	0	0	0	0.0
Transfer State Demography Office to new line	(567,591)	(468,243)	(80,958)	0	(18,390)	(6.0)
Annualize prior year budget actions	(142,954)	(259,667)	21,093	76,198	19,422	0.0
<b>HB 20-1360</b>	<b>\$212,680,885</b>	<b>\$13,751,582</b>	<b>\$180,419,327</b>	<b>\$6,594,312</b>	<b>\$11,915,664</b>	<b>60.1</b>
HB 20-1019	250,000	250,000	0	0	0	0.0
HB 20-1095	26,215	26,215	0	0	0	0.5
HB 20-1371	(1,866,208)	(1,866,208)	0	0	0	(0.9)
HB 20-1399	(1,542,658)	1,875,000	(5,259,386)	1,841,728	0	0.0
<b>TOTAL</b>	<b>\$209,548,234</b>	<b>\$14,036,589</b>	<b>\$175,159,941</b>	<b>\$8,436,040</b>	<b>\$11,915,664</b>	<b>59.7</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$15,810,282)</b>	<b>(\$7,714,502)</b>	<b>(\$10,094,709)</b>	<b>\$2,010,821</b>	<b>(\$11,892)</b>	<b>(5.1)</b>
Percentage Change	(7.0%)	(35.5%)	(5.4%)	31.3%	(0.1%)	(7.9%)

<sup>1</sup> Includes General Fund Exempt.

<sup>2</sup> Includes \$4,300,000 in FY 2018-19 and \$4,375,000 in FY 2019-20 that is exempt from the statutory limit on state General Fund appropriations pursuant to Section 24-75-201.1, C.R.S.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in this division’s indirect cost assessment.

**PARTIALLY REFINANCE FIREFIGHTER HEART AND CIRCULATORY MALFUNCTION BENEFITS APPROPRIATION:** The appropriation includes a one-time General Fund reduction of \$250,000 to the Firefighter Heart and Circulatory Malfunction Benefits line item and a corresponding increase of \$250,000 from the Firefighters Benefits Cash Fund. This is a budget balancing action.

**GRAY & BLACK MARKET MARIJUANA ENFORCEMENT REDUCTION:** The appropriation includes a one-time reduction to the Gray and Black Market Marijuana Enforcement Grant Program of \$5.0 million from the Marijuana Tax Cash Fund. Grant spending has historically not met the program appropriation level; the Department therefore requested a one-time reduction of \$4.0 million. The program was reduced by an additional \$1.0 million as a budget balancing action.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impacts of prior year legislation, as detailed in the following table.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1263 Controlled Substance Possession	\$1,866,208	\$1,866,208	\$0	\$0	\$0	0.9
SB 18-200 PERA	27,054	6,009	3,628	13,972	3,445	0.0
HB 19-1292 Colorado Resiliency Office	17,345	17,345	0	0	0	0.3
HB 19-1239 2020 Census Outreach	(5,914,016)	(5,914,016)	0	0	0	0.1
SB 18-191 Gaming Impacts Study	(50,000)	0	(50,000)	0	0	0.0
<b>TOTAL</b>	<b>(\$4,053,409)</b>	<b>(\$4,024,454)</b>	<b>(\$46,372)</b>	<b>\$13,972</b>	<b>\$3,445</b>	<b>1.3</b>

**CRIME PREVENTION INITIATIVE LENDING PROGRAM UNUSED FUNDS ADJUSTMENT:** The appropriation includes an ongoing General Fund reduction of \$1,000,000 to the Crime Prevention Initiative Small Business Lending (“CCPI Lending”) program. The CCPI Lending Program provides loans to specific neighborhoods in Aurora and Colorado Springs representing underserved markets. The Department requested the reduction as annual demand for loans has not met the program appropriation level.

**REDUCE CRIME PREVENTION INITIATIVE GRANT PROGRAM:** The appropriation includes a General Fund reduction of \$1,000,000 to the Crime Prevention Initiative Grant Program for FY 2020-21; this is a budget balancing action.

**REDUCE DEFENSE COUNCIL ON FIRST APPEARANCE GRANT PROGRAM:** The appropriation includes a General Fund reduction of \$997,145 to the Defense Council on First Appearance Grant Program for FY 2020-21; this is a budget balancing action.

**TRANSFER STATE DEMOGRAPHY OFFICE TO NEW LINE:** The appropriation includes a decrease of \$567,591 total funds, including \$468,243 General Fund, \$80,958 cash funds, \$18,390 federal funds, and an associated 6.0 FTE. This is part of a budget-neutral transfer of the State Demography Office (SDO) and related funding from the Department’s Division of Local Government to the Executive Director’s Office.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out-year impacts of prior year budget actions, including: an increase of \$157,046 total funds for FY 2019-20 salary survey; and, a decrease of \$300,000 General Fund for Census 2020 funding.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# Details

## DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$131,718,845</b>	<b>\$11,856,255</b>	<b>\$1,470,429</b>	<b>\$4,143</b>	<b>\$118,388,018</b>	<b>2,579.1</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Executive Director and Army National Guard	21,538,659	7,753,489	118,093	4,143	13,662,934	109.4
Division of Veterans Affairs	5,050,545	3,698,209	1,352,336	0	0	22.1
Air National Guard	3,629,641	404,557	0	0	3,225,084	48.6
Federal Funded Programs	101,500,000	0	0	0	101,500,000	2,399.0
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$131,630,851	\$11,615,507	\$1,470,429	\$4,143	\$118,540,772	2,579.1
HB 20-1252	87,994	240,748	0	0	(152,754)	0.0
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$132,286,225</b>	<b>\$10,343,790</b>	<b>\$1,641,694</b>	<b>\$163,167</b>	<b>\$120,137,574</b>	<b>2,534.6</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Executive Director and Army National Guard	20,995,553	6,457,670	115,004	5,305	14,417,574	109.5
Division of Veterans Affairs	5,155,715	3,471,163	1,526,690	157,862	0	22.1
Air National Guard	3,734,957	414,957	0	0	3,320,000	41.0
Federal Funded Programs	102,400,000	0	0	0	102,400,000	2,362.0
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360	\$132,612,501	\$10,666,526	\$1,645,234	\$163,167	\$120,137,574	2,534.6
HB 20-1379	(238,282)	(234,742)	(3,540)	0	0	0.0
HB 20-1398	(87,994)	(87,994)	0	0	0	0.0
<b>Increase/(Decrease)</b>	<b>\$567,380</b>	<b>(\$1,512,465)</b>	<b>\$171,265</b>	<b>\$159,024</b>	<b>\$1,749,556</b>	<b>(44.5)</b>
Percentage Change	0.4%	(12.8%)	11.6%	3,838.4%	1.5%	(1.7%)

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of Military and Veterans Affairs are annotated with the "(I)". For additional information, see Appendix K.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$120,295,436	\$0	\$0	\$157,862	\$120,137,574

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### EXECUTIVE DIRECTOR AND ARMY NATIONAL GUARD

This division is responsible for the overall management and administration of the Department. The appropriation includes the operating budget for the Executive Director's Office, as well as all centrally appropriated line items for the Department. It also includes appropriations for tuition assistance for National Guard members attending college and the state's share of maintenance and operations costs for Army National Guard facilities.

The federal government fully funds National Guard training and provides most of the funding for construction of armories and other military facilities. Under cooperative agreements with the federal government, the Department is responsible for a portion of maintenance and operations costs for the military facilities in the State. The state's share varies by function and facility. Most of the Department's General Fund expenditures for personal services costs are for administrative and professional staff in the Executive Director/Army National Guard Office and for the labor trades and crafts employees who maintain and repair the armories and other military facilities. The Division also provides support for the Colorado Wing of the Civil Air Patrol and administers the Colorado National Guard Tuition Assistance Program.

The Division is funded by General Fund, cash funds, and federal funds. The cash funds sources include armory rental fees, real estate proceeds, and the Western Slope Military Veterans' Cemetery Fund. Federal funds are provided through cooperative agreements with the federal government for operations of the Colorado National Guard.

EXECUTIVE DIRECTOR AND ARMY NATIONAL GUARD						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$21,450,665	\$7,512,741	\$118,093	\$4,143	\$13,815,688	109.4
HB 20-1252	87,994	240,748	0	0	(152,754)	0.0
<b>TOTAL</b>	<b>\$21,538,659</b>	<b>\$7,753,489</b>	<b>\$118,093</b>	<b>\$4,143</b>	<b>\$13,662,934</b>	<b>109.4</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$21,538,659	\$7,753,489	\$118,093	\$4,143	\$13,662,934	109.4
Informational funds adjustment	514,502	0	0	0	514,502	0.0
Centrally appropriated line items	99,406	(196,034)	4,677	1,162	289,601	0.0
Annualize prior year legislation	38,891	12,456	0	0	26,435	0.0
National Guard Tuition Assistance	(600,000)	(600,000)	0	0	0	0.0
Operating expense reduction	(150,000)	(150,000)	0	0	0	0.0
Annualize prior year budget actions	(119,629)	(39,505)	(4,226)	0	(75,898)	0.1
<b>HB 20-1360</b>	<b>\$21,321,829</b>	<b>\$6,780,406</b>	<b>\$118,544</b>	<b>\$5,305</b>	<b>\$14,417,574</b>	<b>109.5</b>
HB 20-1379	(238,282)	(234,742)	(3,540)	0	0	0.0
HB 20-1398	(87,994)	(87,994)	0	0	0	0.0
<b>TOTAL</b>	<b>\$20,995,553</b>	<b>\$6,457,670</b>	<b>\$115,004</b>	<b>\$5,305</b>	<b>\$14,417,574</b>	<b>109.5</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$543,106)</b>	<b>(\$1,295,819)</b>	<b>(\$3,089)</b>	<b>\$1,162</b>	<b>\$754,640</b>	<b>0.1</b>
Percentage Change	(2.5%)	(16.7%)	(2.6%)	28.0%	5.5%	0.1%

### FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1252 includes an increase of \$87,994 General Fund to ensure the Department complies with Section 24-30-1310, C.R.S., that requires the General Assembly to set aside funds to support future replacement of new capital assets. The bill also modifies fund sources for PERA direct distribution payments, replacing federal funds determined to be uncollectable with General Fund appropriations.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**INFORMATIONAL FUNDS ADJUSTMENT:** The appropriation includes an increase of \$514,502 federal funds shown for informational purposes. Estimates are based on recent-year spending.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items. Appropriations for centrally appropriated line items include budget balancing actions.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Health, life, and dental adjustment	\$245,901	\$27,524	\$995	\$0	\$217,382	0.0
Payments to OIT adjustment	71,564	71,564	0	0	0	0.0
AED adjustment	45,306	(1,087)	1,190	0	45,203	0.0
SAED adjustment	45,306	(1,087)	1,190	0	45,203	0.0
CORE adjustment	19,157	19,157	0	0	0	0.0
Shift differential adjustment	4,005	0	0	0	4,005	0.0
Short-term disability adjustment	1,863	93	45	0	1,725	0.0
Leased space adjustment	1,898	1,898	0	0	0	0.0
Indirect cost assessment adjustment	1,162	(1,162)	1,162	1,162	0	0.0
Capitol Complex leased space adjustment	174	174	0	0	0	0.0
HLD decrease in lieu of ps base reduction	(200,106)	(200,106)	0	0	0	0.0
Payment to risk management / property funds adjustment	(65,895)	(65,895)	0	0	0	0.0
DPA Annual fleet vehicle request	(31,157)	(13,274)	0	0	(17,883)	0.0
Legal services adjustment	(17,843)	(17,843)	0	0	0	0.0
PERA Direct Distribution	(11,872)	(11,967)	95	0	0	0.0
Workers' compensation adjustment	(10,057)	(4,023)	0	0	(6,034)	0.0
<b>TOTAL</b>	<b>\$99,406</b>	<b>(\$196,034)</b>	<b>\$4,677</b>	<b>\$1,162</b>	<b>\$289,601</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an increase for the third-year impact of S.B. 18-200 (Modification to PERA to Eliminate Unfunded Liability).

**NATIONAL GUARD TUITION ASSISTANCE:** The appropriation includes a \$600,000 General Fund reduction to the appropriation to the National Guard Tuition Assistance Fund based on current spending trends and reserves for the program. Of this amount, \$175,000 is anticipated to be ongoing, while \$425,000 will be restored in FY 2021-22. This is a budget balancing action.

**OPERATING EXPENSE REDUCTION:** The appropriation includes reductions of \$50,000 General Fund for operating expenses for Department administration and \$100,000 General Fund for the Army National Guard Cooperative agreement. This is a budget balancing action.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions, including the second-year impact of an FY 2019-20 request for new National Guard maintenance staff and vehicles and the second-year impact of FY 2019-20 salary survey appropriations.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## DIVISION OF VETERANS AFFAIRS

The Division of Veterans Affairs represents veterans in federal benefits claims and provides information, training, and direct funding to county veterans service officers. It operates the Western Slope Veterans' OneSource Center (a one-stop resource center for veterans in Grand Junction) and maintains the Western Slope Veterans' Cemetery in Grand Junction. This division also oversees state grant programs that award funds to programs for veterans. The



State Board of Veterans Affairs makes grants to veterans' service organizations from the Veterans Trust Fund, which receives tobacco master settlement revenue. The Department also receives state General Fund appropriations for grants to nonprofit organizations and government agencies that serve veterans.

The cash funds sources are the Colorado State Veterans Trust Fund (tobacco master settlement revenue), the Western Slope Military Veterans' Cemetery Fund, and the Veterans Assistance Grant Program Cash Fund.

DIVISION OF VETERANS AFFAIRS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$5,050,545	\$3,698,209	\$1,352,336	\$0	\$0	22.1
<b>TOTAL</b>	<b>\$5,050,545</b>	<b>\$3,698,209</b>	<b>\$1,352,336</b>	<b>\$0</b>	<b>\$0</b>	<b>22.1</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$5,050,545	\$3,698,209	\$1,352,336	\$0	\$0	22.1
Western Region OneSource	212,359	(103,365)	157,862	157,862	0	0.0
Annualize prior year budget actions	34,933	30,707	4,226	0	0	0.0
Veterans Trust Fund revenue adjustment	11,394	0	11,394	0	0	0.0
Annualize prior year legislation	9,057	8,185	872	0	0	0.0
Veterans Assistance Grant reduction	(150,000)	(150,000)	0	0	0	0.0
Community provider rate	(12,573)	(12,573)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$5,155,715</b>	<b>\$3,471,163</b>	<b>\$1,526,690</b>	<b>\$157,862</b>	<b>\$0</b>	<b>22.1</b>
<b>TOTAL</b>	<b>\$5,155,715</b>	<b>\$3,471,163</b>	<b>\$1,526,690</b>	<b>\$157,862</b>	<b>\$0</b>	<b>22.1</b>
<b>INCREASE/(DECREASE)</b>	<b>\$105,170</b>	<b>(\$227,046)</b>	<b>\$174,354</b>	<b>\$157,862</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	2.1%	(6.1%)	12.9%	n/a	n/a	0.0%

#### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**WESTERN REGION ONESOURCE:** The appropriation includes adjustments to appropriations for the Grand Junction Veterans One-stop Center (known as the Western Region OneSource) and the Veterans Trust Fund related to operations, maintenance, and staff support at the OneSource. Appropriation adjustments include: (1) reduce \$103,365 General Fund for operations and maintenance costs; and (2) increase \$157,862 cash funds in the Veterans Trust Fund line item and \$157,862 informational reappropriated funds in the Grand Junction Veterans One-stop line item for amounts awarded by the Board of Veterans Affairs for the OneSource. Revenue from OneSource tenants is expected to cover these costs when the facility is fully occupied. This is a budget balancing action.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second year impact of FY 2019-20 salary survey awards.

**VETERANS TRUST FUND REVENUE ADJUSTMENT:** The appropriation includes an adjustment to spending authority from the Veterans Trust Fund based on the net impact of the Legislative Council Staff FY 2020-21 Tobacco Master Settlement revenue projection and the projected interest earnings on amounts in the Trust Fund.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the third-year impact of S.B. 18-200 (Modification to PERA to Eliminate Unfunded Liability).

**VETERANS ASSISTANCE GRANT REDUCTION:** The appropriation includes a reduction of \$150,000 General Fund for the Veterans Assistance Grant Program. This is a budget balancing action.

**COMMUNITY PROVIDER RATE:** The appropriation includes a decrease of \$12,573 General Fund for the one percent common policy across-the-board decrease for most community providers. This is a budget balancing action.

## AIR NATIONAL GUARD

This division provides funding for the operations of the Buckley and Greeley Air National Guard bases. The state's share of operating and maintenance costs varies under its agreements with the federal government, based on the type and use of each building and whether it is on state or federal land. The federal government also funds full-time security guards at the space command facility at Greeley. Federal funds are provided through cooperative agreements with the federal government for the operations of the Colorado National Guard.

AIR NATIONAL GUARD						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$3,629,641	\$404,557	\$0	\$0	\$3,225,084	48.6
<b>TOTAL</b>	<b>\$3,629,641</b>	<b>\$404,557</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,225,084</b>	<b>48.6</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$3,629,641	\$404,557	\$0	\$0	\$3,225,084	48.6
Annualize prior year budget actions	48,776	8,621	0	0	40,155	0.0
Informational funds adjustment	45,949	0	0	0	45,949	(7.6)
Annualize prior year legislation	10,591	1,779	0	0	8,812	0.0
<b>HB 20-1360</b>	<b>\$3,734,957</b>	<b>\$414,957</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,320,000</b>	<b>41.0</b>
<b>TOTAL</b>	<b>\$3,734,957</b>	<b>\$414,957</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,320,000</b>	<b>41.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$105,316</b>	<b>\$10,400</b>	<b>\$0</b>	<b>\$0</b>	<b>\$94,916</b>	<b>(7.6)</b>
Percentage Change	2.9%	2.6%	n/a	n/a	2.9%	(15.6%)

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second year impact of FY 2019-20 salary survey awards.

**INFORMATIONAL FUNDS ADJUSTMENT:** The appropriation includes an increase of \$45,949 federal funds and a reduction of 7.6 FTE shown for informational purposes. Estimates are based on recent-year spending.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the third-year impact of S.B. 18-200 (Eliminate Unfunded PERA Liability).

## FEDERAL FUNDED PROGRAMS

This section provides an estimate of funding that is managed by the Department but is not subject to appropriation by the General Assembly and does not flow through the State accounting system. Beginning in FY 2019-20, the amount shown is an estimate of the federal salary outlays for uniformed personnel who are enlisted in the Colorado National Guard but for whom all salaries and related costs are paid directly by the federal government.

FEDERAL FUNDED PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$101,500,000	\$0	\$0	\$0	\$101,500,000	2,399.0
<b>TOTAL</b>	<b>\$101,500,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$101,500,000</b>	<b>2,399.0</b>

FEDERAL FUNDED PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$101,500,000	\$0	\$0	\$0	\$101,500,000	2,399.0
Informational funds adjustment	900,000	0	0	0	900,000	(37.0)
<b>HB 20-1360</b>	<b>\$102,400,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$102,400,000</b>	<b>2,362.0</b>
<b>TOTAL</b>	<b>\$102,400,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$102,400,000</b>	<b>2,362.0</b>
<b>INCREASE/(DECREASE)</b>	\$900,000	\$0	\$0	\$0	\$900,000	(37.0)
Percentage Change	0.9%	n/a	n/a	n/a	0.9%	(1.5%)

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**INFORMATIONAL FUNDS ADJUSTMENT:** The appropriation includes an increase of \$900,000 federal funds and a reduction of 37.0 FTE shown for informational purposes. These figures are based on the number of federal positions and typical federal National Guard salaries.

# Details

## DEPARTMENT OF NATURAL RESOURCES

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

DEPARTMENT OF NATURAL RESOURCES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$337,036,481</b>	<b>\$42,671,491</b>	<b>\$260,232,426</b>	<b>\$7,523,560</b>	<b>\$26,609,004</b>	<b>1,495.9</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Executive Director's Office	74,272,153	11,505,744	54,267,318	7,298,560	1,200,531	52.6
Division of Reclamation, Mining, and Safety	7,972,753	0	4,595,005	0	3,377,748	65.8
Oil and Gas Conservation Commission	20,613,071	0	20,516,512	0	96,559	140.3
State Board of Land Commissioners	5,264,461	0	5,039,461	225,000	0	42.0
Division of Parks and Wildlife	166,995,560	150,000	145,374,562	0	21,470,998	894.5
Colorado Water Conservation Board	37,606,292	9,133,258	28,248,660	0	224,374	46.7
Division of Water Resources	24,312,191	21,882,489	2,190,908	0	238,794	254.0
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$307,613,503	\$33,464,597	\$239,942,706	\$7,523,560	\$26,682,640	1,489.9
SB 19-181	851,010	0	851,010	0	0	6.0
SB 19-212	10,000,000	10,000,000	0	0	0	0.0
SB 19-221	19,355,000	0	19,355,000	0	0	0.0
HB 20-1253	83,710	73,636	83,710	0	(73,636)	0.0
HB 20-1403	(866,742)	(866,742)	0	0	0	0.0
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$331,688,190</b>	<b>\$32,699,083</b>	<b>\$265,159,811</b>	<b>\$7,170,362</b>	<b>\$26,658,934</b>	<b>1,511.9</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Executive Director's Office	67,938,705	9,981,388	49,837,332	6,945,362	1,174,623	58.6
Division of Reclamation, Mining, and Safety	8,013,410	0	4,658,880	0	3,354,530	64.8
Oil and Gas Conservation Commission	20,098,484	0	19,998,229	0	100,255	147.3
State Board of Land Commissioners	5,345,601	0	5,120,601	225,000	0	42.0
Division of Parks and Wildlife	169,753,085	125,000	148,207,389	0	21,420,696	895.5
Colorado Water Conservation Board	35,903,208	0	35,528,350	0	374,858	49.7
Division of Water Resources	24,635,697	22,592,695	1,809,030	0	233,972	254.0
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360	\$308,568,368	\$33,219,716	\$241,432,970	\$7,256,748	\$26,658,934	1,511.9
HB 20-1153	25,904	0	25,904	0	0	0.0
HB 20-1379	(2,936,082)	(520,633)	(2,329,063)	(86,386)	0	0.0
HB 20-1403	26,030,000	0	26,030,000	0	0	0.0
<b>INCREASE/(DECREASE)</b>	<b>(\$5,348,291)</b>	<b>(\$9,972,408)</b>	<b>\$4,927,385</b>	<b>(\$353,198)</b>	<b>\$49,930</b>	<b>16.0</b>
Percentage Change	(1.6%)	(23.4%)	1.9%	(4.7%)	0.2%	1.1%

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of Natural Resources are annotated with the "(I)". For additional information, see Appendix K.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$51,961,943	\$0	\$25,303,009	\$0	\$26,658,934

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### EXECUTIVE DIRECTOR'S OFFICE

The Executive Director's Office is responsible for the management and administration of the Department, including: departmental administration and policy development, human resources, accounting and purchasing, budgeting, and information technology services. The Colorado Avalanche Information Center is also housed within this division.

EXECUTIVE DIRECTOR'S OFFICE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$73,956,871	\$11,432,108	\$53,952,036	\$7,298,560	\$1,274,167	52.6
SB 19-181	231,572	0	231,572	0	0	0.0
HB 20-1253	83,710	73,636	83,710	0	(73,636)	0.0
<b>TOTAL</b>	<b>\$74,272,153</b>	<b>\$11,505,744</b>	<b>\$54,267,318</b>	<b>\$7,298,560</b>	<b>\$1,200,531</b>	<b>52.6</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$74,272,153	\$11,505,744	\$54,267,318	\$7,298,560	\$1,200,531	52.6
Centrally appropriated line items	364,536	(853,768)	1,219,919	(68,190)	66,575	0.0
Staff for avalanche center	287,497	0	287,497	0	0	3.0
Accounting and procurement staff	238,172	0	0	238,172	0	3.0
CPW legal services	191,592	0	191,592	0	0	0.0
Electronic oil and gas filing system	147,840	0	147,840	0	0	0.0
Annualize prior year legislation	90,468	0	71,335	19,133	0	0.0
Watershed and flood protection specialist	17,757	0	17,757	0	0	0.0
Vehicle for water commissioner	1,305	1,305	0	0	0	0.0
Annualize prior year budget actions	(4,760,849)	(607,187)	(4,061,179)	0	(92,483)	0.0
Indirect cost assessment	(1,588)	455,927	(1,588)	(455,927)	0	0.0
<b>HB 20-1360</b>	<b>\$70,848,883</b>	<b>\$10,502,021</b>	<b>\$52,140,491</b>	<b>\$7,031,748</b>	<b>\$1,174,623</b>	<b>58.6</b>
HB 20-1153	25,904	0	25,904	0	0	0.0
HB 20-1379	(2,936,082)	(520,633)	(2,329,063)	(86,386)	0	0.0
<b>TOTAL</b>	<b>\$67,938,705</b>	<b>\$9,981,388</b>	<b>\$49,837,332</b>	<b>\$6,945,362</b>	<b>\$1,174,623</b>	<b>58.6</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$6,333,448)</b>	<b>(\$1,524,356)</b>	<b>(\$4,429,986)</b>	<b>(\$353,198)</b>	<b>(\$25,908)</b>	<b>6.0</b>
Percentage Change	(8.5%)	(13.2%)	(8.2%)	(4.8%)	(2.2%)	11.4%

### FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1253 increases the FY 2019-20 appropriation by a total of \$83,710 cash funds from the Oil and Gas Conservation and Environmental Response Fund. The purpose of the increase was to support development of an electronic filing system to manage hearing applications for the Oil and Gas Conservation Commission. The bill also makes a net-zero adjustment to the PERA Direct Distribution line item.

## FY 2020-21 APPROPRIATION – H.B. 20-1360(LONG BILL) ISSUE DESCRIPTIONS

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to the following centrally appropriated line items: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; PERA direct distributions; shift differential; workers' compensation; legal services; administrative law judges; payment to risk management and property funds; vehicle lease payments; Capitol complex leased space; payments to the Governor's Office of Information Technology (OIT); and CORE operations. The appropriation includes a Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction.

**STAFF FOR AVALANCHE CENTER:** The appropriation includes an increase of \$287,497 cash funds from the Severance Tax Operational Fund and 3.0 FTE for the Colorado Avalanche Information Center (CAIC). The increase is for three backcountry avalanche forecasters and three leased vehicles equipped for winter travel.

**ACCOUNTING AND PROCUREMENT STAFF:** The appropriation includes an increase of \$238,172 reappropriated funds from indirect cost recoveries for 3.0 FTE to address increasing workload in the accounting and procurement sections of the Executive Director's Office.

**CPW LEGAL SERVICES:** The appropriation includes an increase of \$191,592 cash funds from the Wildlife Cash Fund and the Parks and Outdoor Recreation Cash Fund to support 1,800 hours of additional legal support for Colorado Parks and Wildlife.

**ELECTRONIC OIL AND GAS FILING SYSTEM:** The appropriation includes an increase of \$147,840 cash funds from the Oil and Gas Conservation and Environmental Response fund for the development of an electronic filing system to manage hearing applications for the Oil and Gas Conservation Commission.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 19-181 Protect public welfare oil and gas	68,900	0	68,900	0	0	0.0
SB18-200 PERA	21,568	0	2,435	19,133	0	0.0
<b>TOTAL</b>	<b>\$90,468</b>	<b>\$0</b>	<b>\$71,335</b>	<b>\$19,133</b>	<b>\$0</b>	<b>0.0</b>

**WATERSHED AND FLOOD PROTECTION SPECIALIST:** The appropriation includes \$17,757 cash funds spending authority for centrally appropriated costs associated with a budget neutral reallocation from the CWCBC Intrastate Water Management and Development line item to the CWCBC Personal Services and Operating Expenses line items. This reallocation will support the addition of 1.0 FTE for the Watershed and Flood Protection section.

**VEHICLE FOR WATER COMMISSIONER:** The appropriation includes an increase of \$1,305 General Fund for the lease of one state vehicle for the Division of Water Resources (DWR). The vehicle will be used by the La Plata water commissioner.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the FY 2020-21 impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Capital development	\$26,884	\$0	\$26,884	\$0	\$0	0.0

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Additional oil and gas staffing	38491	0	38491	0	0	0.0
FY 19-20 Cameo SRA	6800	0	6800	0	0	0.0
FY 19-20 Salary survey	(4,749,314)	(607,187)	(4,049,644)	0	(92,483)	0.0
FY 19-20 Electronic filing system for oil and gas	(83,710)	0	(83,710)	0	0	0.0
<b>TOTAL</b>	<b>(\$4,760,849)</b>	<b>(\$607,187)</b>	<b>(\$4,061,179)</b>	<b>\$0</b>	<b>(\$92,483)</b>	<b>0.0</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a decrease of \$1,588 total funds, including a refinancing of \$455,927 from reappropriated funds to General Fund, to accommodate a net decrease in Department indirect cost recoveries.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## DIVISION OF RECLAMATION, MINING, AND SAFETY

The Division of Reclamation, Mining, and Safety includes four main program areas, described below, which are primarily funded by the Severance Tax Operational Fund and federal grants.

- The **Coal Regulatory Program** issues and enforces mining and reclamation permits for coal mines in Colorado on state, federal, and private lands, including ensuring compliance with the requirements of the federal Surface Mining Control and Reclamation Act. The program is currently responsible for 37 permitted mines and 57 exploration units (permitted areas covering 174,500 acres).
- The **Minerals Regulatory Program** issues and enforces mining and reclamation permits for all non-coal mines in Colorado on state, federal, and private lands. The program permits and inspects the 1,710 non-coal mines in Colorado (190,019 permitted acres) and regulates 168 active prospecting operations.
- The **Inactive Mines Reclamation Program** safeguards mine openings, inspects and monitors inactive mine sites, and reclaims abandoned mines. A total of 9,472 hazardous mine openings have been reclaimed since the program started and approximately 13,528 hazardous mine openings remain in Colorado.
- The **Mine Safety Program** regulates active mines for safety, inspects tourist mines, performs safety audits, administers certification programs for mining employees, provides training in mine rescue and safety, and regulates underground diesel equipment and mining explosives.

DIVISION OF RECLAMATION, MINING, AND SAFETY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$7,972,753	\$0	\$4,595,005	\$0	\$3,377,748	65.8
<b>TOTAL</b>	<b>\$7,972,753</b>	<b>\$0</b>	<b>\$4,595,005</b>	<b>\$0</b>	<b>\$3,377,748</b>	<b>65.8</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$7,972,753	\$0	\$4,595,005	\$0	\$3,377,748	65.8
Annualize prior year budget actions	162,577	0	76,451	0	86,126	0.0
Annualize prior year legislation	28,237	0	13,123	0	15,114	0.0
Indirect cost assessment	14,343	0	8,846	0	5,497	0.0
Optimize inactive mines program spending authority	0	0	0	0	0	0.0
True-up coal program spending authority	(164,500)	0	(34,545)	0	(129,955)	(1.0)
<b>HB 20-1360</b>	<b>\$8,013,410</b>	<b>\$0</b>	<b>\$4,658,880</b>	<b>\$0</b>	<b>\$3,354,530</b>	<b>64.8</b>
<b>TOTAL</b>	<b>\$8,013,410</b>	<b>\$0</b>	<b>\$4,658,880</b>	<b>\$0</b>	<b>\$3,354,530</b>	<b>64.8</b>
<b>INCREASE/(DECREASE)</b>	<b>\$40,657</b>	<b>\$0</b>	<b>\$63,875</b>	<b>\$0</b>	<b>(\$23,218)</b>	<b>(1.0)</b>
Percentage Change	0.5%	n/a	1.4%	n/a	(0.7%)	(1.5%)

## FY 2020-21 APPROPRIATION – H.B. 20-1360(LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$162,577 total funds for the annualization of prior year salary survey.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an increase of \$28,237 total funds for the out-year impact of SB 18-200 (PERA).

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

**OPTIMIZE INACTIVE MINES PROGRAM SPENDING AUTHORITY:** The appropriation includes a budget neutral line item consolidation in the Division of Reclamation, Mining, and Safety's Inactive Mines Reclamation Program. The change consolidates the Legacy Mine Hydrology Projects, Reclamation of Forfeited Mine Sites, and Emergency Responses Costs line items into the Inactive Mines Program Costs line item.

**TRUE-UP COAL PROGRAM SPENDING AUTHORITY:** The appropriation includes a decrease of \$34,545 cash funds from the Severance Tax Operational Fund and a decrease of \$129,955 federal funds in the Coal Land Reclamation Program to align with actual expenditures.

## OIL AND GAS CONSERVATION COMMISSION

The Oil and Gas Conservation Commission (OGCC) is responsible for regulating the exploration, development, and conservation of Colorado's oil and natural gas resources in a manner that protects public health and safety. In addition to enforcement, this responsibility involves: answering complaints and inquiries; responding to oil and gas spills and other environmental emergencies at production sites; managing reclamation work at abandoned well sites; and performing baseline water quality studies. Funding for the OGCC is from the Oil and Gas Conservation and Environmental Response Fund, supported by a mill levy on oil and gas production and penalty revenue, and from the Severance Tax Operational Fund as one of the "Core" severance tax programs.

OIL AND GAS CONSERVATION COMMISSION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$20,077,563	\$0	\$19,981,004	\$0	\$96,559	135.3
SB 19-181	535,508	0	535,508	0	0	5.0
<b>TOTAL</b>	<b>\$20,613,071</b>	<b>\$0</b>	<b>\$20,516,512</b>	<b>\$0</b>	<b>\$96,559</b>	<b>140.3</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$20,613,071	\$0	\$20,516,512	\$0	\$96,559	140.3
Annualize prior year legislation	1,062,497	0	1,062,497	0	0	7.0
Annualize prior year budget actions	176,518	0	176,518	0	0	0.0
Indirect cost assessment	7,398	0	3,702	0	3,696	0.0
Reduce orphaned well spending authority	(1,761,000)	0	(1,761,000)	0	0	0.0
<b>HB 20-1360</b>	<b>\$20,098,484</b>	<b>\$0</b>	<b>\$19,998,229</b>	<b>\$0</b>	<b>\$100,255</b>	<b>147.3</b>
<b>TOTAL</b>	<b>\$20,098,484</b>	<b>\$0</b>	<b>\$19,998,229</b>	<b>\$0</b>	<b>\$100,255</b>	<b>147.3</b>
<b>INCREASE/(DECREASE)</b>						
	(\$514,587)	\$0	(\$518,283)	\$0	\$3,696	7.0
Percentage Change	(2.5%)	n/a	(2.5%)	n/a	3.8%	5.0%



## FY 2020-21 APPROPRIATION – H.B. 20-1360(LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an increase of \$1,062,497 total funds for the out-year impact of S.B. 19-181 (Protect Public Welfare Oil and Gas) and S.B. 18-200 (PERA).

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$176,518 total funds for the FY 2020-21 impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$291,871	\$0	\$291,871	0	0	0.0
FY 19-20 Additional oil and gas staffing	(115,353)	0	(115,353)	0	0	0.0
<b>TOTAL</b>	<b>\$176,518</b>	<b>\$0</b>	<b>\$176,518</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

**REDUCE ORPHANED WELL SPENDING AUTHORITY:** The appropriation includes a total decrease of \$1,761,000 cash funds spending authority from the Oil and Gas Conservation and Environmental Response Fund to align appropriations with actual expenditures. The decrease is for two line items: Plugging and Reclaiming Abandoned Wells, and Emergency Response. This is a budget balancing action.

## STATE BOARD OF LAND COMMISSIONERS

The State Board of Land Commissioners (State Land Board) manages eight public trusts of land including the Public School Trust, to raise money for the benefit of K-12 education and other trust beneficiaries as specified in the Colorado Constitution or in statute. Over 98.0 percent of State Land Board revenue is attributable to lands managed for the Public School Trust and the majority is from mineral assets including oil and gas leases and bonus payments. Funding for this division reflects the State Land Board's operating costs. Cash funds are from a portion of School Trust revenues, and the reappropriated funds are transferred from the Division of Parks and Wildlife (CPW) for improvements on Land Board land leased to CPW.

STATE BOARD OF LAND COMMISSIONERS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$5,264,461	\$0	\$5,039,461	\$225,000	\$0	42.0
<b>TOTAL</b>	<b>\$5,264,461</b>	<b>\$0</b>	<b>\$5,039,461</b>	<b>\$225,000</b>	<b>\$0</b>	<b>42.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$5,264,461	\$0	\$5,039,461	\$225,000	\$0	42.0
Annualize prior year budget actions	103,469	0	103,469	0	0	0.0
Annualize prior year legislation	16,846	0	16,846	0	0	0.0
Indirect cost assessment	(39,175)	0	(39,175)	0	0	0.0
<b>HB 20-1360</b>	<b>\$5,345,601</b>	<b>\$0</b>	<b>\$5,120,601</b>	<b>\$225,000</b>	<b>\$0</b>	<b>42.0</b>
<b>TOTAL</b>	<b>\$5,345,601</b>	<b>\$0</b>	<b>\$5,120,601</b>	<b>\$225,000</b>	<b>\$0</b>	<b>42.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$81,140</b>	<b>\$0</b>	<b>\$81,140</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	1.5%	n/a	1.6%	0.0%	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360(LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$103,469 cash funds for the annualization of prior year salary survey.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an increase of \$16,846 cash funds for the out-year impact of S.B. 18-200 (PERA).

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the division's indirect cost assessment.

### DIVISION OF PARKS AND WILDLIFE

The Division of Parks and Wildlife (CPW) manages 42 parks and several special purpose programs including the snowmobile program, the off-highway vehicle program, river outfitters regulation, federal grants, aquatic nuisance species control and prevention, and the distribution of trails grants. Funding for the State Parks' programs is a mixture of cash funds from license fees, lottery funds, off-highway vehicle recreation funds, severance tax dollars, and other state and federal funds.

CPW also manages the state's 960 game and non-game wildlife species by issuing fishing and hunting licenses, enforcing wildlife regulations, protecting habitat and native wildlife populations, and managing more than 350 state wildlife areas. Funding for Wildlife operations and programs is a mixture of cash funds from license fees (primarily hunting and fishing licenses), federal funds, Great Outdoors Colorado funds, and various other sources.

DIVISION OF PARKS AND WILDLIFE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$166,911,630	\$150,000	\$145,290,632	\$0	\$21,470,998	893.5
SB 19-181	83,930	0	83,930	0	0	1.0
<b>TOTAL</b>	<b>\$166,995,560</b>	<b>\$150,000</b>	<b>\$145,374,562</b>	<b>\$0</b>	<b>\$21,470,998</b>	<b>894.5</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$166,995,560	\$150,000	\$145,374,562	\$0	\$21,470,998	894.5
Annualize prior year budget actions	2,455,798	0	2,455,798	0	0	1.0
Annualize prior year legislation	370,895	(25,000)	395,895	0	0	0.0
Technical adjustments	163,118	0	163,118	0	0	0.0
Indirect cost assessment	(232,286)	0	(181,984)	0	(50,302)	0.0
<b>HB 20-1360</b>	<b>\$169,753,085</b>	<b>\$125,000</b>	<b>\$148,207,389</b>	<b>\$0</b>	<b>\$21,420,696</b>	<b>895.5</b>
<b>TOTAL</b>	<b>\$169,753,085</b>	<b>\$125,000</b>	<b>\$148,207,389</b>	<b>\$0</b>	<b>\$21,420,696</b>	<b>895.5</b>
<b>INCREASE/(DECREASE)</b>	<b>\$2,757,525</b>	<b>(\$25,000)</b>	<b>\$2,832,827</b>	<b>\$0</b>	<b>(\$50,302)</b>	<b>1.0</b>
Percentage Change	1.7%	(16.7%)	1.9%	n/a	(0.2%)	0.1%

## FY 2020-21 APPROPRIATION – H.B. 20-1360(LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$2,455,798 cash funds for the second- and third-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$3,425,990	\$0	\$3,425,990	\$0	\$0	0.0
FY 19-20 Capital development	67,917	0	67,917	0	0	1.0

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 17-18 Digital radio replacement	(1,024,000)	0	(1,024,000)	0	0	0.0
FY 19-20 Cameo SRA	(14,109)	0	(14,109)	0	0	0.0
<b>TOTAL</b>	<b>\$2,455,798</b>	<b>\$0</b>	<b>\$2,455,798</b>	<b>\$0</b>	<b>\$0</b>	<b>1.0</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an increase of \$370,895 total funds for the second- and third-year impact of prior legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$400,598	\$0	\$400,598	\$0	\$0	0.0
HB 19-1045 Veterans entrance fee	(25,000)	(25,000)	0	0	0	0.0
SB 19-181 Protect public welfare oil and gas	(4,703)	0	(4,703)	0	0	0.0
<b>TOTAL</b>	<b>\$370,895</b>	<b>(\$25,000)</b>	<b>\$395,895</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**TECHNICAL ADJUSTMENTS:** The appropriation includes an increase of \$163,118 cash funds for the Annual Depreciation-lease Equivalent Payment.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the division's indirect cost assessment.

## COLORADO WATER CONSERVATION BOARD

Under the guidance of the Colorado Water Conservation Board (CWCB), this division is responsible for protecting, conserving, and developing the state's water resources, and minimizing the risk of flood damage and associated economic loss. The CWCB is divided into two main functional areas: administration and special purpose programs. This division is primarily supported by cash funds from the CWCB Construction Fund.

COLORADO WATER CONSERVATION BOARD						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$9,498,034	\$0	\$9,273,660	\$0	\$224,374	46.7
SB 19-212	10,000,000	10,000,000	0	0	0	0.0
SB 19-221	18,975,000	0	18,975,000	0	0	0.0
HB 20-1403	(866,742)	(866,742)	0	0	0	0.0
<b>TOTAL</b>	<b>\$37,606,292</b>	<b>\$9,133,258</b>	<b>\$28,248,660</b>	<b>\$0</b>	<b>\$224,374</b>	<b>46.7</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$37,606,292	\$9,133,258	\$28,248,660	\$0	\$224,374	46.7
Technical adjustments	150,000	0	0	0	150,000	1.0
Annualize prior year budget actions	136,775	0	131,163	0	5,612	0.0
Water conservation specialist	98,112	0	98,112	0	0	1.0
Annualize prior year legislation	(28,086,745)	(9,133,258)	(18,954,405)	0	918	0.0
Watershed and flood protection specialist	(17,757)	0	(17,757)	0	0	1.0
Indirect cost assessment	(13,469)	0	(7,423)	0	(6,046)	0.0
<b>HB 20-1360</b>	<b>\$9,873,208</b>	<b>\$0</b>	<b>\$9,498,350</b>	<b>\$0</b>	<b>\$374,858</b>	<b>49.7</b>
HB 20-1403	26,030,000	0	26,030,000	0	0	0.0
<b>TOTAL</b>	<b>\$35,903,208</b>	<b>\$0</b>	<b>\$35,528,350</b>	<b>\$0</b>	<b>\$374,858</b>	<b>49.7</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$1,703,084)</b>	<b>(\$9,133,258)</b>	<b>\$7,279,690</b>	<b>\$0</b>	<b>\$150,484</b>	<b>3.0</b>
Percentage Change	(4.5%)	(100.0%)	25.8%	n/a	67.1%	6.4%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1403 reduces a \$1,700,000 General Fund appropriation for a water demand management program (S.B. 19-212 State Water Plan) by \$866,742 and extends the remaining \$833,258 through FY 2020-21.

## FY 2020-21 APPROPRIATION – H.B. 20-1360(LONG BILL) ISSUE DESCRIPTIONS

**TECHNICAL ADJUSTMENTS:** The appropriation includes an increase of \$150,000 federal funds to reflect the addition of 1.0 FTE supported by funds from the Federal Emergency Management Agency.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$136,775 total funds for the annualization of prior year salary survey.

**WATER CONSERVATION SPECIALIST:** The appropriation includes an increase of \$98,112 cash funds from the Colorado Water Conservation Board (CWCBC) Construction Fund and 1.0 FTE to add a water conservation specialist.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 20-1403 CWCBC projects bill	\$866,742	\$866,742	\$0	\$0	\$0	0.0
SB18-200 PERA	21,513	0	20,595	0	918	0.0
SB 19-221 CWCBC projects	(18,975,000)	0	(18,975,000)	0	0	0.0
SB 19-212 State water plan	(10,000,000)	(10,000,000)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$28,086,745)</b>	<b>(\$9,133,258)</b>	<b>(\$18,954,405)</b>	<b>\$0</b>	<b>\$918</b>	<b>0.0</b>

**WATERSHED AND FLOOD PROTECTION SPECIALIST:** The appropriation includes a decrease of \$17,757 cash funds as a part of a budget neutral reallocation of \$108,643 cash funds spending authority from the CWCBC Intrastate Water Management and Development line item to the CWCBC Personal Services and Operating Expenses line items. This reallocation will support the addition of 1.0 FTE for the Watershed and Flood Protection section. The reduction to this division reflects funds moved to the Executive Director's Office for centrally appropriated costs associated with the new position.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the division's indirect cost assessment.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

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## DIVISION OF WATER RESOURCES

This division, also called the Office of the State Engineer, is primarily responsible for administration of water resources. This includes daily oversight of water allocations within the state and downstream interstate compact compliance, monitoring of water supply through stream-flow measurements, and groundwater regulation. The Division administers and operates over 173,000 surface and ground water rights and is responsible for dam safety inspections and groundwater well construction regulation. Cash fund sources include the Water Resources Cash Fund, the Well Inspection Cash Fund, and the Satellite Monitoring System Cash Fund.

DIVISION OF WATER RESOURCES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$23,932,191	\$21,882,489	\$1,810,908	\$0	\$238,794	254.0
SB 19-221	380,000	0	380,000	0	0	0.0
<b>TOTAL</b>	<b>\$24,312,191</b>	<b>\$21,882,489</b>	<b>\$2,190,908</b>	<b>\$0</b>	<b>\$238,794</b>	<b>254.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$24,312,191	\$21,882,489	\$2,190,908	\$0	\$238,794	254.0
Annualize prior year budget actions	626,273	606,022	20,251	0	0	0.0
Vehicle for water commissioner	4,903	4,903	0	0	0	0.0
Annualize prior year legislation	(277,356)	99,281	(376,637)	0	0	0.0
Indirect cost assessment	(30,314)	0	(25,492)	0	(4,822)	0.0
<b>HB 20-1360</b>	<b>\$24,635,697</b>	<b>\$22,592,695</b>	<b>\$1,809,030</b>	<b>\$0</b>	<b>\$233,972</b>	<b>254.0</b>
<b>TOTAL</b>	<b>\$24,635,697</b>	<b>\$22,592,695</b>	<b>\$1,809,030</b>	<b>\$0</b>	<b>\$233,972</b>	<b>254.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$323,506</b>	<b>\$710,206</b>	<b>(\$381,878)</b>	<b>\$0</b>	<b>(\$4,822)</b>	<b>0.0</b>
Percentage Change	1.3%	3.2%	(17.4%)	n/a	(2.0%)	0.0%

### FY 2020-21 APPROPRIATION – H.B. 20-1360(LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$626,273 total funds for the annualization of prior year salary survey.

**VEHICLE FOR WATER COMMISSIONER:** The appropriation includes an increase of \$4,903 General Fund for the lease of one state vehicle for the La Plata water commissioner in the Division of Water Resources.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes a decrease of \$277,356 total funds for the out-year impact of S.B. 19-221 (CWCB Projects) and S.B. 18-200 (PERA)

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the division's indirect cost assessment.

# Details

## DEPARTMENT OF PERSONNEL

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

DEPARTMENT OF PERSONNEL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$210,970,039</b>	<b>\$17,132,726</b>	<b>\$14,485,983</b>	<b>\$179,351,330</b>	<b>\$0</b>	<b>404.9</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Executive Director's Office	26,057,669	8,311,979	2,805,852	14,939,838	0	37.3
Division of Human Resources	69,714,300	2,110,808	3,181,425	64,422,067	0	46.7
Constitutionally Independent Entities	592,705	592,705	0	0	0	4.8
Central Services	32,184,219	1,474,057	1,368,861	29,341,301	0	121.8
Division of Accounts and Control	20,200,594	4,643,177	6,680,805	8,876,612	0	75.5
Administrative Courts	4,389,117	0	109,633	4,279,484	0	44.7
Division of Capital Assets	57,831,435	0	339,407	57,492,028	0	74.1
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$210,322,472	\$14,980,606	\$16,939,500	\$178,402,366	\$0	426.7
SB 19-135	650,000	650,000	0	0	0	0.0
SB 19-158	2,000	0	0	2,000	0	0.0
SB 19-186	1,000	0	0	1,000	0	0.0
SB 19-220	1,000	0	0	1,000	0	0.0
HB 19-1085	1,200	0	0	1,200	0	0.0
HB 19-1090	24,750	0	0	24,750	0	0.0
HB 19-1230	4,790	0	0	4,790	0	0.0
HB 19-1234	4,950	0	0	4,950	0	0.0
HB 19-1278	2,790	2,790	0	0	0	0.0
HB 19-1327	34,650	0	0	34,650	0	0.0
HB 20-1254	(79,563)	1,499,330	(2,453,517)	874,624	0	(21.8)
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$209,535,176</b>	<b>\$14,049,455</b>	<b>\$13,872,652</b>	<b>\$181,613,069</b>	<b>\$0</b>	<b>408.8</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Executive Director's Office	22,585,799	6,062,425	1,472,458	15,050,916	0	37.3
Division of Human Resources	71,042,837	2,259,974	3,864,011	64,918,852	0	51.2
Constitutionally Independent Entities	622,370	622,370	0	0	0	4.8
Central Services	30,577,803	1,462,929	1,380,134	27,734,740	0	121.8
Division of Accounts and Control	20,230,940	3,641,757	6,670,072	9,919,111	0	73.9
Administrative Courts	4,579,715	0	114,382	4,465,333	0	44.7
Division of Capital Assets	59,895,712	0	371,595	59,524,117	0	75.1
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360	209,825,100	14,876,401	13,025,558	181,923,141	0	404.3
HB 20-1001	69,450	0	0	69,450	0	0.0
HB 20-1153	879,159	0	879,159	0	0	4.5
HB 20-1379	(671,727)	(260,140)	(32,065)	(379,522)	0	0.0
HB 20-1398	(566,806)	(566,806)	0	0	0	0.0
<b>INCREASE/(DECREASE)</b>	<b>(\$1,434,863)</b>	<b>(\$3,083,271)</b>	<b>(\$613,331)</b>	<b>\$2,261,739</b>	<b>\$0</b>	<b>3.9</b>
Percentage Change	(0.7%)	(18.0%)	(4.2%)	1.3%	n/a	1.0%

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of Personnel are annotated with the "(I)". For additional information, see Appendix K.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$61,791,788	\$0	\$1,848,255	\$59,943,533	\$0

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### EXECUTIVE DIRECTOR'S OFFICE

This division provides centralized accounting, personnel, and budgeting services for the Department. It also includes the Colorado State Employees Assistance Program (C-SEAP) and the Office of the State Architect. The primary fund source is reappropriated funds, which originate as indirect cost recoveries from other divisions within the Department, as well as user fees from other state agencies.

EXECUTIVE DIRECTOR'S OFFICE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$26,057,669	\$7,984,156	\$3,385,716	\$14,687,797	\$0	37.3
HB 20-1254	0	327,823	(579,864)	252,041	0	0.0
<b>TOTAL</b>	<b>\$26,057,669</b>	<b>\$8,311,979</b>	<b>\$2,805,852</b>	<b>\$14,939,838</b>	<b>\$0</b>	<b>37.3</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$26,057,669	\$8,311,979	\$2,805,852	\$14,939,838	\$0	37.3
Centrally appropriated line items	102,880	252,680	(372,276)	222,476	0	0.0
Annualize prior year legislation	102,428	(311,628)	661,979	(247,923)	0	0.0
Indirect cost assessment	75,595	0	0	75,595	0	0.0
Streamlining electronic document processing	15,910	3,605	0	12,305	0	0.0
Fund source adjustment	0	(605,291)	0	605,291	0	0.0
Collections services refinance and restructure	0	125,350	(409,744)	284,394	0	0.0
Unused authority for license plate registrations	(1,000,000)	0	(1,000,000)	0	0	0.0
Statewide planning services unused spending authority	(980,000)	(980,000)	0	0	0	0.0
Annualize prior year budget actions	(437,900)	92,676	(69,038)	(461,538)	0	0.0
Legislative cash fund correction	(112,250)	0	(112,250)	0	0	0.0
<b>HB 20-1360</b>	<b>\$23,824,332</b>	<b>\$6,889,371</b>	<b>\$1,504,523</b>	<b>\$15,430,438</b>	<b>\$0</b>	<b>37.3</b>
HB 20-1379	(671,727)	(260,140)	(32,065)	(379,522)	0	0.0
HB 20-1398	(566,806)	(566,806)	0	0	0	0.0
<b>TOTAL</b>	<b>\$22,585,799</b>	<b>\$6,062,425</b>	<b>\$1,472,458</b>	<b>\$15,050,916</b>	<b>\$0</b>	<b>37.3</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$3,471,870)</b>	<b>(\$2,249,554)</b>	<b>(\$1,333,394)</b>	<b>\$111,078</b>	<b>\$0</b>	<b>(0.0)</b>
Percentage Change	(13.3%)	(27.1%)	(47.5%)	0.7%	n/a	(0.0%)

### FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1254 modifies FY 2019-20 appropriations to refinance the Collections program funding with \$327,823 General Fund due to insufficient revenues under the former revenue model. Appropriations in this section are related to centrally appropriated line items for FTE associated with the program. The expenses of the former structure of the Collections program exceeds the fee revenue being collected for successful collection activity. The

General Fund appropriation will provide a temporary bridge to the new structure, which will rely on a small number of state employees primarily serving as managers directing the work of private party collections agents.

## FY 2020-21 APPROPRIATION – H.B. 19-1360 (LONG BILL) ISSUE DESCRIPTIONS

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to the following centrally appropriated line items: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; PERA direct distributions; shift differential; workers' compensation; legal services; administrative law judges; payment to risk management and property funds; vehicle lease payments; payments to the Governor's Office of Information Technology (OIT); and CORE operations. The appropriation includes a Health, Life, and Dental adjustment in lieu of a General Fund, personal services base reduction.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments to reflect the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB13-276 Disability investigational pilot program	\$82,000	\$0	\$82,000	\$0	\$0	0.0
SB18-200 PERA	20,428	16,195	115	4,118	0	0.0
HB20-1254 Supplemental bill	0	(327,823)	579,864	(252,041)	0	0.0
<b>TOTAL</b>	<b>\$102,428</b>	<b>(\$311,628)</b>	<b>\$661,979</b>	<b>(\$247,923)</b>	<b>\$0</b>	<b>0.0</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the indirect cost assessment allocated to the Colorado State Employees Assistance Program within this division.

**STREAMLINING ELECTRONIC DOCUMENT PROCESSING:** The appropriation includes an increase of \$15,910 total funds, including \$3,605 General Fund and \$12,305 reappropriated funds, to expand the usage of DocuSign, an electronic document management system/software capable of securely transferring documents for signatures.

**COLLECTIONS SERVICES REFINANCE AND RESTRUCTURE:** The appropriation includes changes that net to zero in this division, including an increase of \$125,350 General Fund, to address operational challenges encountered due to recent changes in state and federal policy. The change allows the program to refocus on the utilization of federal and State tax offsets. The Department expects the restructuring of Central Collections will allow for better customer service for state agencies and continue debt collection on behalf of agencies through private collection agents and intercepts. With these changes, the program expects to return to recovering revenue to meet its operating costs.

**UNUSED AUTHORITY FOR LICENSE PLATE REGISTRATIONS:** The appropriation includes a reduction of \$1.0 million in cash funds spending authority in FY 2020-21 and ongoing for the Disability Investigational and Pilot Support Procurement program based on the program's recent and anticipated expenditures. This change also include changing the name of the line item to Disability Funding Committee.

**STATEWIDE PLANNING SERVICES UNUSED SPENDING AUTHORITY:** The appropriation includes a one-time reduction of \$980,000 General Fund for the Office of the State Architect's Statewide Planning Services. The State developed this program pursuant to S.B. 15-270 (Create Office of State Architect) which directed the State Architect to assist state agencies to complete master plans to inform capital construction decisions. Planned expenditures are unlikely to be impacted due to sufficient spending authority existing remaining from prior appropriations with multi-year spending authority.



**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY13-14 Employee engagement survey	\$331,700	\$331,700	\$0	\$0	\$0	0.0
FY19-20 salary survey	(769,600)	(239,024)	(69,038)	(461,538)	0	0.0
<b>TOTAL</b>	<b>(\$437,900)</b>	<b>\$92,676</b>	<b>(\$69,038)</b>	<b>(\$461,538)</b>	<b>\$0</b>	<b>0.0</b>

**LEGISLATIVE CASH FUND CORRECTION:** The appropriation eliminates continuation of an appropriation from the Legislative Cash Fund, which was included as a source of funding for the depreciation of the House and Senate Chambers due to a technical error.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## DIVISION OF HUMAN RESOURCES

This division administers the State's classified personnel system, administers the employee benefits programs, manages statewide systems for payroll and employee databases, and operates the statewide risk management program, including the provision of liability, property, and workers' compensation insurance.

DIVISION OF HUMAN RESOURCES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$69,714,300	\$2,110,808	\$3,181,425	\$64,422,067	\$0	46.7
<b>TOTAL</b>	<b>\$69,714,300</b>	<b>\$2,110,808</b>	<b>\$3,181,425</b>	<b>\$64,422,067</b>	<b>\$0</b>	<b>46.7</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$69,714,300	\$2,110,808	\$3,181,425	\$64,422,067	\$0	46.7
Property program adjustment	2,478,647	0	0	2,478,647	0	0.0
Annualize prior year budget actions	195,681	138,491	36,291	20,899	0	0.0
Annualize prior year legislation	22,092	10,675	4,334	7,083	0	0.0
Workers Compensation program adjustment	(1,345,961)	0	0	(1,345,961)	0	0.0
Liability program adjustment	(346,570)	0	0	(346,570)	0	0.0
Indirect cost assessment	(345,150)	0	(112,984)	(232,166)	0	0.0
Tobacco Master Settlement Agreement revenue adjustment	(124,214)	0	(124,214)	0	0	0.0
Centrally appropriated line items	(85,147)	0	0	(85,147)	0	0.0
<b>HB 20-1360</b>	<b>\$70,163,678</b>	<b>\$2,259,974</b>	<b>\$2,984,852</b>	<b>\$64,918,852</b>	<b>\$0</b>	<b>46.7</b>
HB 20-1153	879,159	0	879,159	0	0	4.5
<b>TOTAL</b>	<b>\$71,042,837</b>	<b>\$2,259,974</b>	<b>\$3,864,011</b>	<b>\$64,918,852</b>	<b>\$0</b>	<b>51.2</b>
<b>INCREASE/(DECREASE)</b>	<b>\$1,328,537</b>	<b>\$149,166</b>	<b>\$682,586</b>	<b>\$496,785</b>	<b>\$0</b>	<b>4.5</b>
Percentage Change	1.9%	7.1%	21.5%	0.8%	n/a	9.6%

## FY 2020-21 APPROPRIATION – H.B. 19-1360 (LONG BILL) ISSUE DESCRIPTIONS

**PROPERTY PROGRAM ADJUSTMENT:** The appropriation includes an increase of \$2.5 million reappropriated funds to reduce the reserves in the Self Insured Property Fund, which also reduces the burden to state tenants by reducing the amount of costs that must be allocated to them on a usable per square footage rate.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY15-16 Total comp. vendor	\$300,000	\$300,000	\$0	\$0	\$0	0.0
FY19-20 salary survey	110,681	53,491	36,291	20,899	0	0.0
FY13-14 Employee engagement survey	(215,000)	(215,000)	0	0	0	0.0
<b>TOTAL</b>	<b>\$195,681</b>	<b>\$138,491</b>	<b>\$36,291</b>	<b>\$20,899</b>	<b>\$0</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impact of S.B. 18-200 (PERA).

**WORKERS' COMPENSATION PROGRAM ADJUSTMENT:** The appropriation includes a decrease of \$1.3 million reappropriated funds associated with the Workers' Compensation program to adjust the base to account for its anticipated expenditures. Changes include a reduction of \$1.0 million reappropriated funds for the payment of claims anticipated during the budget year, as estimated by the contractual actuary, \$0.2 million reduction to the third-party administrator fees and loss control, and \$0.1 million for the excess policy.

**LIABILITY PROGRAM ADJUSTMENT:** The appropriation includes a decrease of \$346,570 reappropriated funds based on the Department's estimated payments required to be paid to insure against liability for injuries and damages affecting state agencies.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the division's indirect cost assessment.

**TOBACCO MASTER SETTLEMENT AGREEMENT REVENUE ADJUSTMENT:** The appropriation includes a decrease based on the Legislative Council May 2020 FY 2020-21 Tobacco Master Settlement revenue projection.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to the centrally appropriated line items for legal services for the risk management programs.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## CONSTITUTIONALLY INDEPENDENT ENTITIES

This division houses the State Personnel Board, which has the authority to adopt a uniform grievance procedure to be used by all state agencies for classified employees in the state personnel system. The Board adjudicates employment disputes within the state classified system and is responsible for promulgating rules to ensure that state employment is based on merit. The division is entirely supported by General Fund appropriations.

CONSTITUTIONALLY INDEPENDENT ENTITIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$592,705	\$592,705	\$0	\$0	\$0	4.8
<b>TOTAL</b>	<b>\$592,705</b>	<b>\$592,705</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>4.8</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$592,705	\$592,705	\$0	\$0	\$0	4.8
Annualize prior year budget actions	15,859	15,859	0	0	0	0.0
Centrally appropriated line items	11,457	11,457	0	0	0	0.0
Annualize prior year legislation	2,349	2,349	0	0	0	0.0

CONSTITUTIONALLY INDEPENDENT ENTITIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>HB 20-1360</b>	<b>\$622,370</b>	<b>\$622,370</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>4.8</b>
<b>TOTAL</b>	<b>\$622,370</b>	<b>\$622,370</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>4.8</b>
<b>INCREASE/(DECREASE)</b>	\$29,665	\$29,665	\$0	\$0	\$0	0.0
Percentage Change	5.0%	5.0%	n/a	n/a	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 19-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second-year impact of prior year budget actions for salary survey.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to the centrally appropriated line items for legal services for the state Personnel Board.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impact of S.B. 18-200 (PERA).

## CENTRAL SERVICES

This division is responsible for providing statewide support services such as print, document management, and mail services and the Office of State Archives. Central Services is almost entirely funded by reappropriated funds consisting of user fees from state agencies or other public entities. General Fund and cash funds from offender surcharges and grants provide funding for the Address Confidentiality Program within Integrated Document Solutions.

CENTRAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$32,180,229	\$1,471,267	\$1,368,861	\$29,340,101	\$0	121.8
HB 19-1085	1,200	0	0	1,200	0	0.0
HB 19-1278	2,790	2,790	0	0	0	0.0
<b>TOTAL</b>	<b>\$32,184,219</b>	<b>\$1,474,057</b>	<b>\$1,368,861</b>	<b>\$29,341,301</b>	<b>\$0</b>	<b>121.8</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$32,184,219	\$1,474,057	\$1,368,861	\$29,341,301	\$0	121.8
Annualize prior year budget actions	1,180,312	(15,885)	10,794	1,185,403	0	0.0
Indirect cost assessment	185,154	0	0	185,154	0	0.0
Annualize prior year legislation	28,118	4,757	479	22,882	0	0.0
Postage spending authority reduction	(3,000,000)	0	0	(3,000,000)	0	0.0
<b>HB 20-1360</b>	<b>\$30,577,803</b>	<b>\$1,462,929</b>	<b>\$1,380,134</b>	<b>\$27,734,740</b>	<b>\$0</b>	<b>121.8</b>
<b>TOTAL</b>	<b>\$30,577,803</b>	<b>\$1,462,929</b>	<b>\$1,380,134</b>	<b>\$27,734,740</b>	<b>\$0</b>	<b>121.8</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$1,606,416)</b>	<b>(\$11,128)</b>	<b>\$11,273</b>	<b>(\$1,606,561)</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	(5.0%)	(0.8%)	0.8%	(5.5%)	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 19-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY19-20 Printing and mailing for DRIVES	\$1,032,160	\$0	\$0	\$1,032,160	\$0	0.0
FY19-20 salary survey	195,107	31,070	10,794	153,243	0	0.0
FY 18-19 Digital storage	70,033	70,033	0	0	0	0.0
FY19-20 IDS Increased input costs	8,012	8,012	0	0	0	0.0
FY20-21 Capitol portraits restoration	(125,000)	(125,000)	0	0	0	0.0
<b>TOTAL</b>	<b>\$1,180,312</b>	<b>(\$15,885)</b>	<b>\$10,794</b>	<b>\$1,185,403</b>	<b>\$0</b>	<b>0.0</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB18-200 PERA	\$33,464	\$7,547	\$479	\$25,438	\$0	0.0
HB19-1278 Uniform election modification	(2,790)	(2,790)	0	0	0	0.0
SB18-1267 Tax credit for home retrofit	(1,356)	0	0	(1,356)	0	0.0
HB19-1085 Grants for property tax, heat, rent	(1,200)	0	0	(1,200)	0	0.0
<b>TOTAL</b>	<b>\$28,118</b>	<b>\$4,757</b>	<b>\$479</b>	<b>\$22,882</b>	<b>\$0</b>	<b>0.0</b>

**POSTAGE SPENDING AUTHORITY REDUCTION:** The appropriation includes a reduction of \$3.0 million reappropriated funds to align with actual expenditures for postage costs.

## DIVISION OF ACCOUNTS AND CONTROL

This division includes four functional groups. The **Office of the State Controller** as part of the Financial Operations and Reporting budget group, which manages statewide fiscal rules, conducts statewide financial reporting, provides policy and procedural guidance, and develops the statewide indirect cost allocation plan. **CORE Operations** oversees the State's accounting system, the Colorado Operations Resource Engine (CORE). **Procurement and Contracts** administers a statewide procurement program and meets the product and service needs of state agencies by negotiating contracts for goods and services. **Central Collections Services** provides for the collection of debts due to the state. This division is funded with rebates received from the Procurement Card Program, statewide indirect cost recoveries, cash funds from the Supplier Database Cash Fund, user fees from state agencies for CORE Operations, collection fees assessed to individuals making payments in the collections process, and General Fund.

DIVISION OF ACCOUNTS AND CONTROL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$20,227,967	\$2,821,670	\$8,554,458	\$8,851,839	\$0	97.3
SB 19-135	650,000	650,000	0	0	0	0.0

DIVISION OF ACCOUNTS AND CONTROL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 20-1254	(677,373)	1,171,507	(1,873,653)	24,773	0	(21.8)
<b>TOTAL</b>	<b>\$20,200,594</b>	<b>\$4,643,177</b>	<b>\$6,680,805</b>	<b>\$8,876,612</b>	<b>\$0</b>	<b>75.5</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$20,200,594	\$4,643,177	\$6,680,805	\$8,876,612	\$0	75.5
Annualize prior year legislation	760,927	(1,149,426)	1,925,979	(15,626)	0	21.8
Indirect cost adjustment	268,156	0	135,220	132,936	0	0.0
Annualize prior year budget action	206,322	137,885	15,100	53,337	0	0.0
CORE information security audit finding	79,376	0	0	79,376	0	0.0
Fund source adjustment	0	(30,923)	30,923	0	0	0.0
Technical correction SB 19-135 appropriation	0	0	0	0	0	0.0
CORE program adjustment	0	0	(763,776)	763,776	0	0.0
Collections services refinance and restructure	(1,284,435)	41,044	(1,354,179)	28,700	0	(23.4)
<b>HB 20-1360</b>	<b>\$20,230,940</b>	<b>\$3,641,757</b>	<b>\$6,670,072</b>	<b>\$9,919,111</b>	<b>\$0</b>	<b>73.9</b>
<b>TOTAL</b>	<b>\$20,230,940</b>	<b>\$3,641,757</b>	<b>\$6,670,072</b>	<b>\$9,919,111</b>	<b>\$0</b>	<b>73.9</b>
<b>INCREASE/(DECREASE)</b>	\$30,346	(\$1,001,420)	(\$10,733)	\$1,042,499	\$0	(1.6)
Percentage Change	0.2%	(21.6%)	(0.2%)	11.7%	n/a	(2.1%)

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1254 modifies FY 2019-20 appropriations to:

- Make a technical correction to the appropriation for S.B. 19-135 (Statewide Disparity Study) to move the funds from the personal services line item to the operating costs line item, where they can be used to pay the contractor performing the study as intended by the bill; and
- Reduce by \$0.7 million total funds across several fund sources and 21.8 FTE related to systemic changes needed for the Collections program. The majority of positions being eliminated were already vacant. The change includes an *increase* of \$1.2 million General Fund.

## FY 2020-21 APPROPRIATION – H.B. 19-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB20-1254 Supplemental bill	\$677,373	(\$1,171,507)	\$1,873,653	(\$24,773)	\$0	21.8
HB13-1286 Suspend state recovery audits	50,000	0	50,000	0	0	0.0
SB18-200 PERA	33,554	22,081	2,326	9,147	0	0.0
<b>TOTAL</b>	<b>\$760,927</b>	<b>(\$1,149,426)</b>	<b>\$1,925,979</b>	<b>(\$15,626)</b>	<b>\$0</b>	<b>21.8</b>

**INDIRECT COST ADJUSTMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions for salary survey.

**CORE INFORMATION SECURITY AUDIT FINDING:** The appropriation includes an increase of \$79,376 reappropriated funds to implement several audit findings surrounding vendor access to state information systems recommended by the State Auditor's Office.

**FUND SOURCE ADJUSTMENT:** The appropriation includes an increase in the amount of total department indirect cost recoveries applied, which is reflected as a decrease in General Fund and an equal increase in cash funds.

**TECHNICAL CORRECTION SB 19-135 APPROPRIATION:** The appropriation includes a technical correction moving funding for SB 19-135 (State Procurement Disparity Study) from the Operating Expenses line item to the Personal Services line item to correct a technical error in the original appropriation. The study is underway and is anticipated to be complete by December 2020.

**CORE PROGRAM ADJUSTMENT:** The appropriation includes a decrease of \$763,776 cash funds offset by an increase of an equal amount of reappropriated funds for CORE Operations base adjustments for the Payments for CORE and Support Modules line item. This adjustment refinances the fund source from the Supplier Database Cash Fund (cash funds) to state agency user fees (reappropriated funds).

**COLLECTIONS SERVICES REFINANCE AND RESTRUCTURE:** The appropriation includes a net decrease of \$1.3 million total funds and 23.4 FTE, which consists of a decrease of \$1,763,923 cash funds and *increases* of \$166,394 General Fund and \$313,094 reappropriated funds, to address operational challenges encountered due to recent changes in state and federal policy. The change allows the program to refocus on the utilization of federal and State tax offsets.

## ADMINISTRATIVE COURTS

This division provides an independent administrative law adjudication system for state agencies in order to resolve cases related to workers' compensation, human resources, and regulatory law. It offers a full range of alternative dispute resolution options, including evidentiary hearings, settlement conferences, and mediation. Approximately one-half of all hearings are related to workers' compensation cases. The division is primarily funded with reappropriated funds transferred from user agencies, and it receives a small amount of cash funds that originate as user fees from non-state agencies.

ADMINISTRATIVE COURTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$4,389,117	\$0	\$109,633	\$4,279,484	\$0	44.7
<b>TOTAL</b>	<b>\$4,389,117</b>	<b>\$0</b>	<b>\$109,633</b>	<b>\$4,279,484</b>	<b>\$0</b>	<b>44.7</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$4,389,117	\$0	\$109,633	\$4,279,484	\$0	44.7
Annualize prior year budget actions	108,641	0	4,749	103,892	0	0.0
Indirect cost assessment	63,584	0	0	63,584	0	0.0
Annualize prior year legislation	18,373	0	0	18,373	0	0.0
Administrative Courts technical	0	0	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$4,579,715</b>	<b>\$0</b>	<b>\$114,382</b>	<b>\$4,465,333</b>	<b>\$0</b>	<b>44.7</b>
<b>TOTAL</b>	<b>\$4,579,715</b>	<b>\$0</b>	<b>\$114,382</b>	<b>\$4,465,333</b>	<b>\$0</b>	<b>44.7</b>
<b>INCREASE/(DECREASE)</b>	<b>\$190,598</b>	<b>\$0</b>	<b>\$4,749</b>	<b>\$185,849</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	4.3%	n/a	4.3%	4.3%	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 19-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second-year impact of prior year budget actions for salary survey.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impact of S.B. 18-200 (Eliminate Unfunded PERA Liability).

**ADMINISTRATIVE COURTS TECHNICAL:** The appropriation includes a refinance in Administrative Courts to shift \$4,749 cash funds and \$4,749 reappropriated funds between Personal Services and Operating Expenses, which results in a net-zero change in the division and department.

### DIVISION OF CAPITAL ASSETS

This division is responsible for providing statewide support services such as fleet management and operation and maintenance of buildings in the capitol complex and other state-owned facilities. The Division of Capital Assets is almost entirely funded by reappropriated funds consisting of user fees from state agencies or cash funds that originated as user fees.

DIVISION OF CAPITAL ASSETS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$57,160,485	\$0	\$339,407	\$56,821,078	\$0	74.1
SB 19-158	2,000	0	0	2,000	0	0.0
SB 19-186	1,000	0	0	1,000	0	0.0
SB 19-220	1,000	0	0	1,000	0	0.0
HB 19-1090	24,750	0	0	24,750	0	0.0
HB 19-1230	4,790	0	0	4,790	0	0.0
HB 19-1234	4,950	0	0	4,950	0	0.0
HB 19-1327	34,650	0	0	34,650	0	0.0
HB 20-1254	597,810	0	0	597,810	0	0.0
<b>TOTAL</b>	<b>\$57,831,435</b>	<b>\$0</b>	<b>\$339,407</b>	<b>\$57,492,028</b>	<b>\$0</b>	<b>74.1</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$57,831,435	\$0	\$339,407	\$57,492,028	\$0	74.1
Annual fleet vehicle request	1,163,580	0	0	1,163,580	0	0.0
Telematics for state fleet vehicles	389,374	0	0	389,374	0	1.0
Capitol Complex program adjustment	377,785	0	32,188	345,597	0	0.0
Indirect cost assessment	357,952	0	0	357,952	0	0.0
Annualize prior year budget actions	130,167	0	0	130,167	0	0.0
Mobile monitoring oil and gas health effects	102,462	0	0	102,462	0	0.0
Capitol security adjustment	27,779	0	0	27,779	0	0.0
Creation of contract management office	3,361	0	0	3,361	0	0.0
Annualize prior year legislation	(557,633)	0	0	(557,633)	0	0.0
<b>HB 20-1360</b>	<b>\$59,826,262</b>	<b>\$0</b>	<b>\$371,595</b>	<b>\$59,454,667</b>	<b>\$0</b>	<b>75.1</b>
HB 20-1001	69,450	0	0	69,450	0	0.0
<b>TOTAL</b>	<b>\$59,895,712</b>	<b>\$0</b>	<b>\$371,595</b>	<b>\$59,524,117</b>	<b>\$0</b>	<b>75.1</b>
<b>INCREASE/(DECREASE)</b>	<b>\$2,064,277</b>	<b>\$0</b>	<b>\$32,188</b>	<b>\$2,032,089</b>	<b>\$0</b>	<b>1.0</b>
Percentage Change	3.6%	n/a	9.5%	3.5%	n/a	1.3%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1254 modifies FY 2019-20 appropriations to add \$597,810 reappropriated funds for vehicle replacement lease or purchase payments for FY 2019-20 to true up appropriations with anticipated expenditures.

## FY 2020-21 APPROPRIATION – H.B. 19-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUAL FLEET VEHICLE REQUEST:** The appropriation includes a \$1.2 million increase in reappropriated funds for the Vehicle Replacement Lease/Purchase line item for the Fleet Management Program, paid by users of fleet vehicles. The appropriation allows for the replacement of 607 out of 740 vehicles requested to be replaced, including 190 hybrid vehicles, 127 electric vehicles, 3 CNG-capable vehicles, and 415 conventional combustion engine vehicles.

**TELEMATICS FOR STATE FLEET VEHICLES:** The appropriation includes an increase of \$389,374 reappropriated funds and 1.0 FTE for the installation and ongoing support of telematics units in all fleet vehicles managed by the Department's State Fleet Management Program. The Department will work with its vendor to retrofit the existing fleet over the next four fiscal years, targeting a quarter of the fleet each year. New vehicles will be delivered to assigned agencies with telematics devices already installed. The appropriation also supports 1.0 FTE to manage the data, provide change management associated with the information, and communicate with agency fleet managers.

**CAPITOL COMPLEX PROGRAM ADJUSTMENT:** The appropriation includes an increase of \$377,785 total funds, including \$32,188 cash funds and \$345,597 reappropriated funds, based on anticipated program costs for maintenance and operations of state-owned and -operated buildings. Funds originate as other fund types paid by agency tenants.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second-year impact of prior year budget actions for salary survey.

**MOBILE MONITORING OIL AND GAS HEALTH EFFECTS:** The appropriation includes \$102,462 reappropriated funds transferred from the Department of Public Health and Environment for vehicle lease payments related to monitoring oil and gas health effects.

**CAPITOL SECURITY ADJUSTMENT:** The appropriation includes an increase of \$27,779 reappropriated funds, which is transferred from the General Assembly to fund regular State Patrol operations at the capitol. This adjustment is made annually and primarily accounts for changes in personal services funded in prior year budget decisions.

**CREATION OF CONTRACT MANAGEMENT OFFICE:** The appropriation includes an increase of \$3,361 reappropriated funds for the creation of a contract management office.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for out-year impacts of prior year legislation.



ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB18-200 PERA	\$21,487	\$0	\$0	\$21,487	\$0	0.0
HB19-1090 Publicly licensed marijuana companies	9,900	0	0	9,900	0	0.0
HB19-1230 Marijuana hospitality establishments	4,790	0	0	4,790	0	0.0
SB19-186 Expand ag chemical management	2,000	0	0	2,000	0	0.0
SB19-220 Align hemp regulation with fed	2,000	0	0	2,000	0	0.0
HB20-1254 Supplemental bill	(597,810)	0	0	(597,810)	0	0.0
<b>TOTAL</b>	<b>(\$557,633)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$557,633)</b>	<b>\$0</b>	<b>0.0</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# Details

## DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT						
	TOTAL FUNDS	GENERAL FUND <sup>1,2,3</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$620,331,634</b>	<b>\$62,733,564</b>	<b>\$206,351,030</b>	<b>\$49,385,559</b>	<b>\$301,861,481</b>	<b>1,384.6</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Administration and Support	86,875,014	16,852,114	18,561,056	38,638,859	12,822,985	91.8
Center for Health and Environmental Information	14,945,475	2,636,793	6,811,935	5,887	5,490,860	99.6
Laboratory Services	17,033,557	1,921,062	10,886,762	460,397	3,765,336	87.7
Air Pollution Control Division	26,450,333	617,730	20,970,868	0	4,861,735	188.7
Water Quality Control Division	28,064,887	5,071,052	8,608,458	61,548	14,323,829	182.2
Hazardous Materials and Waste Management Division	29,719,334	0	21,010,663	292,960	8,415,711	116.2
Division of Environmental Health and Sustainability	11,291,571	1,724,569	8,013,521	111,730	1,441,751	45.7
Disease Control and Environmental Epidemiology Division	105,849,407	7,355,246	17,177,940	0	81,316,221	146.8
Prevention Services Division	249,288,775	22,950,759	74,796,941	3,100,755	148,440,320	208.5
Health Facilities and Emergency Medical Services Division	34,556,140	2,015,040	19,512,886	6,713,423	6,314,791	182.3
Office of Emergency Preparedness and Response	16,257,141	1,589,199	0	0	14,667,942	35.1
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$599,298,241	\$54,757,339	\$194,092,921	\$47,469,142	\$302,978,839	1,361.6
SB 19-008	3,600,000	0	1,800,000	1,800,000	0	1.8
SB 19-065	57,242	0	57,242	0	0	0.8
SB 19-073	993,147	993,147	0	0	0	0.5
SB 19-096	265,589	265,589	0	0	0	3.1
SB 19-186	21,875	0	0	21,875	0	0.2
SB 19-188	17,004	17,004	0	0	0	0.1
SB 19-198	3,262,500	0	3,262,500	0	0	0.0
SB 19-218	114,007	0	114,007	0	0	0.2
SB 19-227	659,472	434,472	225,000	0	0	2.2
SB 19-228	2,000,000	0	2,000,000	0	0	0.9
SB 19-236	163,820	163,820	0	0	0	1.8
HB 19-1010	43,248	0	43,248	0	0	0.5
HB 19-1031	95,831	0	95,831	0	0	0.0
HB 19-1032	1,000,000	1,000,000	0	0	0	1.5
HB 19-1064	300,000	300,000	0	0	0	0.0
HB 19-1122	145,167	145,167	0	0	0	1.6
HB 19-1133	632,717	632,717	0	0	0	0.6
HB 19-1160	30,730	30,730	0	0	0	0.5
HB 19-1174	33,884	33,884	0	0	0	0.4
HB 19-1183	15,000	15,000	0	0	0	0.0
HB 19-1203	3,000,000	0	3,000,000	0	0	0.8
HB 19-1237	51,472	51,472	0	0	0	0.5
HB 19-1261	281,588	281,588	0	0	0	2.0
HB 19-1279	55,278	55,278	0	0	0	0.7
HB 20-1255	2,793,822	2,156,357	1,660,281	94,542	(1,117,358)	2.3
HB 20-1411	1,400,000	1,400,000	0	0	0	0.0

# DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

	TOTAL FUNDS	GENERAL FUND <sup>1,2,3</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$598,125,192</b>	<b>\$59,958,515</b>	<b>\$188,149,625</b>	<b>\$49,047,028</b>	<b>\$300,970,024</b>	<b>1,397.0</b>
<b>BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION</b>						
Administration and Support	81,447,061	16,562,427	15,468,308	36,545,653	12,870,673	96.3
Center for Health and Environmental Information	12,331,237	922,512	6,135,186	5,887	5,267,652	95.8
Laboratory Services	16,744,381	1,429,285	9,449,024	1,964,246	3,901,826	89.7
Air Pollution Control Division	28,399,471	661,739	23,012,729	0	4,725,003	208.1
Water Quality Control Division	27,578,239	5,109,975	8,025,254	95,202	14,347,808	180.7
Hazardous Materials and Waste Management Division	32,053,882	0	23,286,251	308,671	8,458,960	112.5
Division of Environmental Health and Sustainability	12,144,089	1,869,134	8,771,697	111,730	1,391,528	45.2
Disease Control and Environmental Epidemiology Division	103,928,087	10,328,233	12,140,969	15,252	81,443,633	147.1
Prevention Services Division	232,804,936	19,543,187	62,328,887	3,086,429	147,846,433	203.8
Health Facilities and Emergency Medical Services Division	34,568,031	1,937,678	19,531,320	6,913,958	6,185,075	182.7
Office of Emergency Preparedness and Response	16,125,778	1,594,345	0	0	14,531,433	35.1
<b>BREAKDOWN OF TOTAL APPROPRIATION BY BILL</b>						
HB 20-1360	\$599,973,495	\$61,588,578	\$188,092,900	\$49,324,190	\$300,967,827	1,395.2
SB 20-055	985,283	0	985,283	0	0	2.1
SB 20-057	4,151	0	0	1,954	2,197	0.0
SB 20-163	41,906	41,906	0	0	0	0.1
SB 20-204	10,660	10,660	0	0	0	0.0
HB 20-1119	43,836	0	43,836	0	0	0.5
HB 20-1215	24,815	0	24,815	0	0	0.0
HB 20-1374	(100,890)	0	(100,890)	0	0	(0.7)
HB 20-1379	(2,671,912)	(1,496,477)	(896,319)	(279,116)	0	0.0
HB 20-1384	(108,640)	(108,640)	0	0	0	(0.2)
HB 20-1397	(44,007)	(44,007)	0	0	0	0.0
HB 20-1398	(33,505)	(33,505)	0	0	0	0.0
<b>INCREASE/(DECREASE)</b>	<b>(\$22,206,442)</b>	<b>(\$2,775,049)</b>	<b>(\$18,201,405)</b>	<b>(\$338,531)</b>	<b>(\$891,457)</b>	<b>12.4</b>
Percentage Change	(3.6%)	(4.4%)	(8.8%)	(0.7%)	(0.3%)	0.9%

<sup>1</sup> Includes appropriations from the CARE subfund of the General Fund for FY 2019-20 and FY 2020-21.

<sup>2</sup> Includes General Fund Exempt.

<sup>3</sup> Includes \$407,703 in FY 2019-20 and \$387,756 in FY 2020-21 that is not subject to the statutory restriction on state General Fund appropriations imposed by Section 24-75-201.1, C.R.S.

**GENERAL FUND EXEMPT AND CARE SUBFUND IN THE GENERAL FUND:** Amounts in the General Fund column include appropriations from the following accounts:

- General Fund
- General Fund Exempt
- CARE subfund in the General Fund

**General Fund Exempt:** The General Fund Exempt amount for the Department of Public Health and Environment is from revenue received and appropriated pursuant to Amendment 35 to the State Constitution. Amendment 35, which was approved by voters in November 2004, imposed new cigarette and tobacco taxes through the addition of Section 21 in Article X of the State Constitution. The new tobacco tax revenues authorized by Amendment 35 are exempt from the TABOR state fiscal year spending limit and General Fund appropriations from these revenues are exempt from the statutory restriction on General Fund appropriations. Amendment 35 requires that a portion of the new tobacco tax revenues be appropriated to the General Fund and made available to this department for immunization services provided by local public health agencies. The table below reflects General Fund Exempt appropriations to the Department for FY 2019-20 and FY 2020-21.

**CARE subfund in the General Fund:** Federal H.R. 748, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, created the \$150.0 billion Coronavirus Relief Fund, which was allocated to states, tribal governments, territories, and local governments to address costs directly related to the novel coronavirus, COVID-19. Colorado's state government received a total allocation of \$1,673,849,579 from the Coronavirus Relief Fund, and of this amount, \$70,000,000 was transferred to the General Fund through Executive Order D 2020 070 and placed in the CARE subfund for appropriation by the General Assembly. The table below shows the amount appropriated from the CARE subfund for FY 2019-20 and FY 2020-21 for the Department through legislation enacted in the 2020 legislative session.

Federal law requires that this funding is to be used to cover those expenditures that:

- 1 are necessary expenditures incurred due to the public health emergency with respect to COVID-19;
- 2 were not accounted for in the budget most recently approved as of the date of enactment of this section for the State or government; and
- 3 were incurred during the period that begins March 1, 2020, and ends on December 30, 2020.

For additional information on General Fund Exempt and CARE subfund appropriations, see Appendix D.

GENERAL FUND SUMMARY	TOTAL GENERAL FUND	GENERAL FUND	CARE SUBFUND IN THE GENERAL FUND	GENERAL FUND EXEMPT
FY 2019-20	\$62,733,564	\$60,925,861	\$1,400,000	\$407,703
FY 2020-21	\$59,958,515	\$56,070,759	\$3,500,000	\$387,756

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of Public Health and Environment are annotated with the "(I)". For additional information, see Appendix L.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$295,064,724	\$0	\$600,000	\$0	\$294,464,724

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### ADMINISTRATION AND SUPPORT

This division is comprised of three subdivisions: Administration, Office of Health Equity, and Office of Planning and Partnerships.

#### (A) ADMINISTRATION

This subdivision provides department-wide administrative services including: accounting, budgeting, human resources, and purchasing. The appropriations for this subdivision include funds for the provision of department-wide services, and centrally appropriated personnel line items like salary survey and health, life, and dental. Funding for this subdivision is primarily from reappropriated funds from departmental indirect cost recoveries with a small amount from Medicaid reappropriated funds. This subdivision also receives appropriations from the General Fund, cash funds, including the AIR subaccount of the Highway Users Tax Fund, and federal funds.

## (B) OFFICE OF HEALTH EQUITY

This subdivision provides grants for health initiatives aimed at reducing and eliminating disparities in the provision of health services across the state. Funding for this subdivision is primarily Amendment 35 tobacco tax revenue that is transferred into the Health Disparities Grant Fund and a small amount of General Fund for the Necessary Document Assistance Program.

## (C) OFFICE OF PLANNING AND PARTNERSHIPS

This subdivision oversees the distribution of state funds to local public health agencies. Funding for this subdivision is a combination of General Fund, Marijuana Tax Cash Funds, and federal funds.

ADMINISTRATION AND SUPPORT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$83,543,713	\$15,629,084	\$15,336,627	\$38,637,659	\$13,940,343	91.6
SB 19-228	1,564,148	0	1,564,148	0	0	0.0
HB 19-1032	12,405	12,405	0	0	0	0.2
HB 19-1261	93,267	93,267	0	0	0	0.0
HB 20-1255	1,661,481	1,117,358	1,660,281	1,200	(1,117,358)	0.0
<b>TOTAL</b>	<b>\$86,875,014</b>	<b>\$16,852,114</b>	<b>\$18,561,056</b>	<b>\$38,638,859</b>	<b>\$12,822,985</b>	<b>91.8</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$86,875,014	\$16,852,114	\$18,561,056	\$38,638,859	\$12,822,985	91.8
Leased space expansion	2,757,569	0	1,695,281	1,062,288	0	0.0
Rural LPHA funding	1,500,000	1,500,000	0	0	0	0.0
Annualize prior year budget actions	572,237	314,541	0	207,696	50,000	0.0
Sustaining administrative services	559,864	0	0	559,864	0	4.3
Laboratory facility maintenance	301,593	0	0	301,593	0	0.0
Indirect cost assessment	22,529	0	(19,236)	72,588	(30,823)	0.0
Industrial hemp compliance	3,600	0	0	3,600	0	0.0
Centrally appropriated line items	(4,530,120)	650,741	(175,942)	(3,907,356)	(1,097,563)	0.0
Annualize prior year legislation	(2,998,340)	(1,087,312)	(3,074,482)	37,380	1,126,074	0.2
Tobacco revenue adjustment	(763,342)	0	(603,766)	(159,576)	0	0.0
Community provider rate adjustment	(94,651)	(69,012)	(18,284)	(7,355)	0	0.0
Other technical adjustments	(74,157)	(89,345)	0	15,188	0	0.0
<b>HB 20-1360</b>	<b>\$84,131,796</b>	<b>\$18,071,727</b>	<b>\$16,364,627</b>	<b>\$36,824,769</b>	<b>\$12,870,673</b>	<b>96.3</b>
SB 20-163	10,022	10,022	0	0	0	0.0
SB 20-204	10,660	10,660	0	0	0	0.0
HB 20-1379	(2,671,912)	(1,496,477)	(896,319)	(279,116)	0	0.0
HB 20-1398	(33,505)	(33,505)	0	0	0	0.0
<b>TOTAL</b>	<b>\$81,447,061</b>	<b>\$16,562,427</b>	<b>\$15,468,308</b>	<b>\$36,545,653</b>	<b>\$12,870,673</b>	<b>96.3</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$5,427,953)</b>	<b>(\$289,687)</b>	<b>(\$3,092,748)</b>	<b>(\$2,093,206)</b>	<b>\$47,688</b>	<b>4.5</b>
Percentage Change	(6.2%)	(1.7%)	(16.7%)	(5.4%)	0.4%	4.9%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1255 modifies the FY 2019-20 appropriation to:

- Add \$1,660,281 cash funds from the Waste Tire Administration, Enforcement, Market Development, and Cleanup Fund for FY 2019-20 to allow the Department to expand its leased space footprint in its current location;
- Add \$1,200 reappropriated funds, transferred from the Department of Agriculture, for vehicle lease payments for the Laboratory Services division to ensure industrial hemp compliance with new federal rules; and
- Modify the fund sources for PERA direct distribution payments, which help to address PERA's unfunded liability, bill replacing federal funds determined to be uncollectible with General Fund appropriations.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**LEASED SPACE EXPANSION:** The appropriation includes an increase \$2,757,569 total funds, including \$1,695,281 cash funds and \$1,062,288 reappropriated funds, for FY 2020-21 to allow the Department to expand in its current location. The Department anticipates the Hazardous Materials and Waste Management Division will move into the newly renovated space.

**RURAL LPHA FUNDING:** The appropriations includes \$1.5 million from the CARE subfund in the General Fund for FY 2020-21 for funding for rural local public health agencies.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$571,961	\$314,265	\$0	\$207,696	\$50,000	0.0
FY 19-20 Tribal liaison	276	276	0	0	0	0.0
<b>TOTAL</b>	<b>\$572,237</b>	<b>\$314,541</b>	<b>\$0</b>	<b>\$207,696</b>	<b>\$50,000</b>	<b>0.0</b>

**SUSTAINING ADMINISTRATIVE SERVICES:** The appropriation includes an increase \$559,864 reappropriated funds and 4.3 FTE for FY 2020-21. These positions are currently funded by the Preventative Health and Health Services Block Grant from the Center for Disease Control, but will be funded by indirect cost recoveries from within the Department.

**LABORATORY FACILITY MAINTENANCE:** The appropriation includes an increase of \$301,593 reappropriated funds from departmental indirect cost recoveries for FY 2020-21 to complete repairs required to keep the State Laboratory building and equipment in good repair.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

**INDUSTRIAL HEMP COMPLIANCE:** The appropriation includes an increase of \$3,600 reappropriated funds for adjustments related the Department of Agriculture's industrial hemp compliance efforts. Please see that department's section of the Appropriations Report for further information.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items:

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Health, life, and dental	\$1,588,435	\$585,643	\$331,222	\$116,536	\$555,034	0.0
Salary survey	249,694	93,089	36,185	19,962	100,458	0.0
AED	189,024	111,257	(9,628)	10,340	77,055	0.0
SAED	189,024	111,257	(9,628)	10,340	77,055	0.0
OIT Colorado Digital Services	104,578	12,734	11,389	71,843	8,612	0.0
Leased space	100,557	0	0	100,557	0	0.0
Short-term disability	7,774	3,921	198	502	3,153	0.0
Capitol Complex leased space	3,181	0	0	3,181	0	0.0
Shift differential	328	621	(351)	(194)	252	0.0
Paid family leave	0	0	0	0	0	0.0
Salary survey reduction	(3,783,348)	(616,399)	(1,269,019)	(395,279)	(1,502,651)	0.0
Payments to OIT	(1,276,402)	310,495	840,029	(3,167,977)	741,051	0.0

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HLD decrease in lieu of personal services base reduction for budget balancing	(1,027,334)	(1,027,334)	0	0	0	0.0
CORE	(179,939)	0	0	(179,939)	0	0.0
Legal services	(174,339)	(14,070)	0	(160,269)	0	0.0
PERA Direct Distribution	(143,964)	1,079,527	(86,213)	(19,920)	(1,117,358)	0.0
Payment to risk management / property funds	(124,426)	0	0	(124,426)	0	0.0
OIT Budget request package	(123,922)	0	0	(123,922)	0	0.0
DPA Annual fleet vehicle request	(80,350)	0	(20,126)	(20,000)	(40,224)	0.0
Workers' compensation	(32,830)	0	0	(32,830)	0	0.0
ALJ	(15,861)	0	0	(15,861)	0	0.0
<b>TOTAL</b>	<b>(\$4,530,120)</b>	<b>\$650,741</b>	<b>(\$175,942)</b>	<b>(\$3,907,356)</b>	<b>(\$1,097,563)</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 18-1006 Infant newborn screening	\$140,000	\$0	\$140,000	\$0	\$0	0.0
SB 18-200 PERA	73,155	25,859	0	38,580	8,716	0.0
HB 19-1203 School nurse grant program	9,947	0	9,947	0	0	0.2
HB 19-1237 Licensing behavioral health entities	2,591	2,591	0	0	0	0.0
HB 19-1032 Comprehensive human sexuality education	1,596	1,596	0	0	0	0.0
HB 19-1261 Climate action plan to reduce pollution	0	0	0	0	0	0.0
HB 20-1255 Supplemental bill	(1,661,481)	(1,117,358)	(1,660,281)	(1,200)	1,117,358	0.0
SB 19-228 Substance use disorders prevention measures	(1,564,148)	0	(1,564,148)	0	0	0.0
<b>TOTAL</b>	<b>(\$2,998,340)</b>	<b>(\$1,087,312)</b>	<b>(\$3,074,482)</b>	<b>\$37,380</b>	<b>\$1,126,074</b>	<b>0.2</b>

**TOBACCO REVENUE ADJUSTMENTS:** The appropriation includes a decrease of \$763,342 total funds for adjustments related to the Tobacco Master Settlement Agreement and Amendment 35 allocations.

**COMMUNITY PROVIDER RATE:** The appropriation includes a decrease of \$94,651 total funds, including \$69,012 General Fund, for the 1.0 percent community provider rate decrease.

**OTHER TECHNICAL ADJUSTMENTS:** The appropriation includes four technical changes, as detailed in the table below:

OTHER TECHNICAL ADJUSTMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Building maintenance and repair escalator	\$15,188	\$0	\$0	\$15,188	\$0	0.0
Depreciation-lease equivalent payments	(89,345)	(89,345)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$74,157)</b>	<b>(\$89,345)</b>	<b>\$0</b>	<b>\$15,188</b>	<b>\$0</b>	<b>0.0</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## CENTER FOR HEALTH AND ENVIRONMENTAL INFORMATION

This division is comprised of four subdivisions including: Administration, Health Statistics and Vital Records, Medical Marijuana Registry, and Health Data Programs and Information.

### (A) ADMINISTRATION

This subdivision provides division-wide services to the three programs within this division. Funding for this subdivision is from General Fund, cash funds from the Vital Statistics Records Cash Funds, and departmental indirect cost recoveries.

### (B) HEALTH STATISTICS AND VITAL RECORDS

This subdivision is responsible for the maintenance of Colorado birth, death, marriage, divorce, and other vital records-related certificates. In Colorado in 2018 there were 63,463 recorded births, 43,205 recorded marriages, and 39,146 recorded deaths. The subdivision administers the Voluntary Adoption Registry, which facilitates voluntary contact between Colorado-born adoptees 18 years of age and older and their birth parents. Staff provide training on vital records rules, regulations and statutes to individuals and local public health agencies. Data users include the Center for Disease Control, local public health agencies, and epidemiologists. This subdivision is primarily funded with cash funds from the Vital Statistic Records Cash Fund and federal funds.

### (C) MEDICAL MARIJUANA REGISTRY

This subdivision serves as the state database for all individuals who have satisfied the medical requirements to use medical marijuana and have paid the Medical Marijuana Registry fee. The Medical Marijuana Registry is entirely cash funded by the Medical Marijuana Program Cash Fund. In FY 2018-19, there were 83,879 registered medical marijuana cardholders.

### (D) HEALTH DATA PROGRAMS AND INFORMATION

This subdivision houses a number of the Department's health data programs that gather health data and survey information, including the Cancer Registry and the Birth Defects Monitoring Program. It also receives funding to connect a number of the health data systems with the statewide Health Information Exchange and for Local Public Health Agencies to build electronic health records that can communicate with the Health Information Exchange. Funding for this subdivision consists of General Fund, Vital Statistics Records Cash Fund, and federal funds.

CENTER FOR HEALTH AND ENVIRONMENTAL INFORMATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$13,378,490	\$1,643,646	\$6,238,097	\$5,887	\$5,490,860	98.9
SB 19-073	993,147	993,147	0	0	0	0.5
SB 19-218	114,007	0	114,007	0	0	0.2
SB 19-228	364,000	0	364,000	0	0	0.0
HB 19-1031	95,831	0	95,831	0	0	0.0
HB 20-1255	0	0	0	0	0	0.0
<b>TOTAL</b>	<b>\$14,945,475</b>	<b>\$2,636,793</b>	<b>\$6,811,935</b>	<b>\$5,887</b>	<b>\$5,490,860</b>	<b>99.6</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$14,945,475	\$2,636,793	\$6,811,935	\$5,887	\$5,490,860	99.6
Annualize prior year legislation	(1,247,032)	(806,191)	(440,841)	0	0	(0.3)
Annualize prior year budget actions	(786,574)	(830,574)	44,000	0	0	(3.5)
Indirect cost assessment	(488,014)	0	(264,806)	0	(223,208)	0.0
Other budget balancing actions	(77,516)	(77,516)	0	0	0	0.0
Technical reductions to spending authority	(15,102)	0	(15,102)	0	0	0.0
<b>HB 20-1360</b>	<b>\$12,331,237</b>	<b>\$922,512</b>	<b>\$6,135,186</b>	<b>\$5,887</b>	<b>\$5,267,652</b>	<b>95.8</b>
<b>TOTAL</b>	<b>\$12,331,237</b>	<b>\$922,512</b>	<b>\$6,135,186</b>	<b>\$5,887</b>	<b>\$5,267,652</b>	<b>95.8</b>



CENTER FOR HEALTH AND ENVIRONMENTAL INFORMATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>INCREASE/(DECREASE)</b>	(\$2,614,238)	(\$1,714,281)	(\$676,749)	\$0	(\$223,208)	(3.8)
Percentage Change	(17.5%)	(65.0%)	(9.9%)	0.0%	(4.1%)	(3.8%)

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$22,491	\$4,390	\$18,101	\$0	\$0	0.0
SB 19-218 Sunset medical marijuana program	889	0	889	0	0	0.0
SB 19-073 Statewide system of advance medical directives	(810,581)	(810,581)	0	0	0	(0.3)
SB 19-228 Substance use disorders prevention measures	(364,000)	0	(364,000)	0	0	0.0
HB 19-1031 Child patient more than one primary caregiver	(95,831)	0	(95,831)	0	0	0.0
<b>TOTAL</b>	<b>(\$1,247,032)</b>	<b>(\$806,191)</b>	<b>(\$440,841)</b>	<b>\$0</b>	<b>\$0</b>	<b>(0.3)</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$51,200	\$7,200	\$44,000	\$0	\$0	0.0
FY 19-20 Local public electronic health records	(837,774)	(837,774)	0	0	0	(3.5)
<b>TOTAL</b>	<b>(\$786,574)</b>	<b>(\$830,574)</b>	<b>\$44,000</b>	<b>\$0</b>	<b>\$0</b>	<b>(3.5)</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the Department's indirect cost assessment.

**OTHER BUDGET BALANCING ACTIONS:** The appropriation includes a reduction of \$77,516 General Fund for the Departments support of the State's Health Information Exchange as a result of budget balancing actions.

**TECHNICAL REDUCTIONS TO SPENDING AUTHORITY:** The appropriation includes a reduction of \$15,102 cash funds FY 2020-21. The Department identified reversions across several divisions and this decrease will align spending authority with anticipated expenditures.

## LABORATORY SERVICES

This division is comprised of the following three sections:

### (A) THE DIRECTOR'S OFFICE

The Office provides managerial and administrative support for the Division. Funding for the Office is from the General Fund; cash funds including the Laboratory Cash Fund, Newborn Screening and Genetics Counseling Cash Funds, and the Law Enforcement Assistance Cash Fund; divisional reappropriated funds; and federal funds.

## (B) THE CHEMISTRY AND MICROBIOLOGY SECTION

This section performs the following activities: analysis of blood and tissue specimens, testing for newborn genetic disorders, diagnostic testing for bacterial diseases, analysis for disease outbreaks, and water and environmental testing. Funding for this section is from the General Fund, cash funds from the Laboratory Cash Fund, and the Newborn Screening and Genetics Counseling Cash Funds; and federal funds.

## (C) THE CERTIFICATION SECTION

This section certifies private medical laboratories, environmental laboratories, including water testing laboratories, on-site dairy laboratories, and the state and local law enforcement breath-alcohol testing devices (intoxilyzers) throughout the state. This section is also responsible for surveying marijuana testing facilities and making certification recommendations to the Department of Revenue. As of June 2020, there were 12 licensed medical marijuana testing facilities and 11 retail marijuana testing facilities. The Department also operates a marijuana reference library to supplement the certification work in the Department of Revenue of private marijuana labs. Funding for this section is from General Fund, cash funds, and reappropriated funds from the Water Quality Control Division, and federal funds. Cash funds include the Law Enforcement Assistance Cash Fund, the Laboratory Cash Fund, and the Marijuana Tax Cash Fund.

LABORATORY SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$16,440,215	\$1,421,062	\$10,886,762	\$367,055	\$3,765,336	87.3
HB 20-1255	593,342	500,000	0	93,342	0	0.4
<b>TOTAL</b>	<b>\$17,033,557</b>	<b>\$1,921,062</b>	<b>\$10,886,762</b>	<b>\$460,397</b>	<b>\$3,765,336</b>	<b>87.7</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$17,033,557	\$1,921,062	\$10,886,762	\$460,397	\$3,765,336	87.7
Annualize prior year budget actions	293,617	0	71,424	0	222,193	0.0
Industrial hemp compliance	260,472	0	0	260,472	0	2.0
Other technical adjustments	0	0	(200,991)	200,991	0	0.0
Other budget balancing actions	0	0	(1,135,728)	1,135,728	0	0.0
Annualize prior year legislation	(578,430)	(491,777)	(32,044)	(93,342)	38,733	0.0
Indirect cost assessment	(264,835)	0	(140,399)	0	(124,436)	0.0
<b>HB 20-1360</b>	<b>\$16,744,381</b>	<b>\$1,429,285</b>	<b>\$9,449,024</b>	<b>\$1,964,246</b>	<b>\$3,901,826</b>	<b>89.7</b>
<b>TOTAL</b>	<b>\$16,744,381</b>	<b>\$1,429,285</b>	<b>\$9,449,024</b>	<b>\$1,964,246</b>	<b>\$3,901,826</b>	<b>89.7</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$289,176)</b>	<b>(\$491,777)</b>	<b>(\$1,437,738)</b>	<b>\$1,503,849</b>	<b>\$136,490</b>	<b>2.0</b>
Percentage Change	(1.7%)	(25.6%)	(13.2%)	326.6%	3.6%	2.3%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1255 modifies the FY 2019-20 appropriation to:

- Add \$500,000 General Fund to subsidize the cost of testing groundwater samples for polyfluoroalkyl substances (PFAS) by individuals and municipal water treatment systems; and
- Add \$93,342 reappropriated funds, transferred from the Department of Agriculture, and 0.4 FTE for the Laboratory Services division to ensure industrial hemp compliance with new federal rules.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$293,617 total funds to reflect the out year impact of the FY 2019-20 salary survey.

**INDUSTRIAL HEMP COMPLIANCE:** The appropriation includes an increase of \$260,472 reappropriated funds and 2.0 FTE for adjustments related the Department of Agriculture’s industrial hemp compliance efforts. Please see that department’s section of the Narrative for further information.

**OTHER TECHNICAL ADJUSTMENTS:** The appropriation includes a net zero refinance of cash funds with reappropriated funds.

**OTHER BUDGET BALANCING ACTIONS:** The appropriation includes a net zero refinance of cash funds from the Marijuana Tax Cash Fund with reappropriated funds from the Department of Revenue for the purchase of laboratory services.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$62,568	\$8,223	\$15,612	\$0	\$38,733	0.0
HB 20-1255 Supplemental bill	(593,342)	(500,000)	0	(93,342)	0	0.0
HB 18-1006 Infant newborn screening	(47,656)	0	(47,656)	0	0	0.0
<b>TOTAL</b>	<b>(\$578,430)</b>	<b>(\$491,777)</b>	<b>(\$32,044)</b>	<b>(\$93,342)</b>	<b>\$38,733</b>	<b>0.0</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the division’s indirect cost assessment.

## AIR POLLUTION CONTROL DIVISION

This division is comprised of four subdivisions: Administration, Technical Services, Mobile Sources, and Stationary Sources.

### (A) ADMINISTRATION

This subdivision provides administrative support to the Air Quality Control Commission and manages the implementation of air programs by the other subdivisions. This division is funded by General Fund, cash funds including the Stationary Sources Control Fund, and federal funds.

### (B) TECHNICAL SERVICES

This subdivision is responsible for measuring Colorado's air quality, compliance with the National Ambient Air Quality Standards, and issuing air quality forecasts and advisories. The subdivision houses three distinct programs: Air Quality Monitoring; Modeling and Analysis; and Visibility and Risk Assessment. Funding for this subdivision is from a variety of sources including the Department's subaccount of the Highway Users Tax Fund, the Stationary Sources Control Fund, and federal funds.

### (C) MOBILE SOURCES

This subdivision is comprised of the Research and Support Program, which contains four subprograms: (1) the High Altitude Testing Program, (2) the Oxygenated Fuel Program, (3) the Clean Fuel Fleet Program, and (4) the Inspection and Maintenance Program. The Inspection and Maintenance Program works to reduce motor vehicle-related pollution through the inspection and emissions-related repair of motor vehicles. Emissions testing of gas and diesel powered vehicles are required when registering, renewing, or selling vehicles within the program areas along Colorado's Front Range. Funding for this subdivision is primarily from the Department's subaccount of the Highway Users Tax Fund, and a small amount is from federal funds.

### (D) STATIONARY SOURCES

This subdivision is responsible for controlling and reducing air pollutants from stationary sources (i.e., factories, power plants, wood stoves, etc.) through permits, monitoring, and inspections of stationary sources that emit air

pollutants. The subdivision houses the following three programs: the Inventory and Support Services Program, the Permits and Compliance Assurance Program, and the Hazardous and Toxic Control Program. Division staff permit, monitor, and inspect stationary source air pollution emitters. The majority of funding for this subdivision is from General Fund, the Stationary Sources Control Cash Fund, and a small amount of federal funds.

AIR POLLUTION CONTROL DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$25,832,603	\$0	\$20,970,868	\$0	\$4,861,735	181.8
SB 19-096	265,589	265,589	0	0	0	3.1
SB 19-236	163,820	163,820	0	0	0	1.8
HB 19-1261	188,321	188,321	0	0	0	2.0
<b>TOTAL</b>	<b>\$26,450,333</b>	<b>\$617,730</b>	<b>\$20,970,868</b>	<b>\$0</b>	<b>\$4,861,735</b>	<b>188.7</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$26,450,333	\$617,730	\$20,970,868	\$0	\$4,861,735	188.7
Stationary sources program resources	1,899,048	0	1,899,048	0	0	18.4
Annualize prior year budget actions	274,313	0	274,313	0	0	0.0
Annualize prior year legislation	165,872	44,009	121,863	0	0	1.0
Indirect cost assessment	(390,095)	0	(253,363)	0	(136,732)	0.0
<b>HB 20-1360</b>	<b>\$28,399,471</b>	<b>\$661,739</b>	<b>\$23,012,729</b>	<b>\$0</b>	<b>\$4,725,003</b>	<b>208.1</b>
<b>TOTAL</b>	<b>\$28,399,471</b>	<b>\$661,739</b>	<b>\$23,012,729</b>	<b>\$0</b>	<b>\$4,725,003</b>	<b>208.1</b>
INCREASE/(DECREASE)						
	\$1,949,138	\$44,009	\$2,041,861	\$0	(\$136,732)	19.4
Percentage Change	7.4%	7.1%	9.7%	n/a	(2.8%)	10.3%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**STATIONARY SOURCES PROGRAM RESOURCES:** The appropriation includes an increase of \$1,899,048 cash funds and 18.4 FTE for FY 2020-21 to expand the Air Pollution Control Division’s capacity for oil and gas compliance, enforcement, permitting, and air quality monitoring. The U.S. Environmental Protection Agency reclassified the Denver Metro/North Front Range air quality monitoring region to “serious non-attainment” for 2008 ozone standards.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$274,313 cash funds to reflect the out year impact of the FY 2019-20 salary survey.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$121,863	\$0	\$121,863	\$0	\$0	0.0
HB 19-1261 Climate action plan to reduce pollution	33,301	33,301	0	0	0	0.5
SB 19-096 Collect long-term climate change data	6,249	6,249	0	0	0	0.3
SB 19-236 Sunset public utilities commission	4,459	4,459	0	0	0	0.2
<b>TOTAL</b>	<b>\$165,872</b>	<b>\$44,009</b>	<b>\$121,863</b>	<b>\$0</b>	<b>\$0</b>	<b>1.0</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the division’s indirect cost assessment.

## WATER QUALITY CONTROL DIVISION

This division is comprised of four subdivisions: Administration, Clean Water Sectors, Clean Water Program, and Drinking Water Program.

### (A) ADMINISTRATION

This subdivision provides management and support staff for the Water Quality Control Commission, clerical support for other subdivisions, and maintains a centralized records system for the Division. This subdivision is responsible for training and certifying the operators of all water and wastewater treatment facilities in the state. Funding for this subdivision is from General Fund, various division cash funds including the Water Quality Control Fund and the Drinking Water Fund, and federal funds.

### (B) CLEAN WATER SECTORS

This subdivision is responsible for issuing discharge permits, monitoring compliance with permits, conducting inspections, providing technical assistance, and, as necessary, pursuing enforcement actions for the permitting and compliance assurance program for the six industry sectors. The Sectors are construction, commerce and industry, municipal separate storm sewer systems, pesticides, public and private utilities, and water quality certification. Funding for the Sectors is from General Fund, cash funds from the sector specific cash funds, and federal funds.

### (C) CLEAN WATER PROGRAM

This subdivision funds grants and contracts primarily to local governments for the Non-Point Source Program and the Water Quality Improvement Program. Funding for this subdivision is from the General Fund, the Water Quality Improvement Fund, reappropriated funds from the Department of Agriculture, and federal funds.

### (D) DRINKING WATER PROGRAM

This subdivision is established under the federal Safe Drinking Water Act and implements measures to ensure that public water systems throughout Colorado provide safe drinking water for Colorado citizens. Funding for this subdivision is from the General Fund, the Drinking Water Cash Fund, and federal funds.

WATER QUALITY CONTROL DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$27,987,734	\$5,015,774	\$8,608,458	\$39,673	\$14,323,829	181.3
SB 19-186	21,875	0	0	21,875	0	0.2
HB 19-1279	55,278	55,278	0	0	0	0.7
<b>TOTAL</b>	<b>\$28,064,887</b>	<b>\$5,071,052</b>	<b>\$8,608,458</b>	<b>\$61,548</b>	<b>\$14,323,829</b>	<b>182.2</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$28,064,887	\$5,071,052	\$8,608,458	\$61,548	\$14,323,829	182.2
Annualize prior year budget actions	551,078	82,300	131,426	0	337,352	0.0
Indirect cost assessment	(752,565)	0	(379,922)	0	(372,643)	0.0
Annualize prior year legislation	(309,976)	(43,377)	(359,523)	33,654	59,270	(1.5)
<b>HB 20-1360</b>	<b>\$27,553,424</b>	<b>\$5,109,975</b>	<b>\$8,000,439</b>	<b>\$95,202</b>	<b>\$14,347,808</b>	<b>180.7</b>
HB 20-1215	24,815	0	24,815	0	0	0.0
<b>TOTAL</b>	<b>\$27,578,239</b>	<b>\$5,109,975</b>	<b>\$8,025,254</b>	<b>\$95,202</b>	<b>\$14,347,808</b>	<b>180.7</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$486,648)</b>	<b>\$38,923</b>	<b>(\$583,204)</b>	<b>\$33,654</b>	<b>\$23,979</b>	<b>(1.5)</b>
Percentage Change	(1.7%)	0.8%	(6.8%)	54.7%	0.2%	(0.8%)

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$551,078 total funds, including \$82,300 General Fund, to reflect the out year impact of the FY 2019-20 salary survey.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the division's indirect cost assessment.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$108,033	\$11,901	\$36,862	\$0	\$59,270	0.0
SB 19-186 Expand agricultural chemical management program protect surface water	33,654	0	0	33,654	0	0.4
HB 17-1306 Test lead in public schools' drinking water	(396,385)	0	(396,385)	0	0	(1.2)
HB 19-1279 Protect public health firefighter safety regulation PFAS	(55,278)	(55,278)	0	0	0	(0.7)
<b>TOTAL</b>	<b>(\$309,976)</b>	<b>(\$43,377)</b>	<b>(\$359,523)</b>	<b>\$33,654</b>	<b>\$59,270</b>	<b>(1.5)</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION

This division is comprised of six subdivisions: Administration, Hazardous Waste Control Program, Solid Waste Control Program, Contaminated Site Cleanups and Remediation Programs, Radiation Management, and the Waste Tire Program.

### (A) ADMINISTRATION

This subdivision provides division-wide administrative and management support services. Funding for this subdivision is from divisional cash funds including the Hazardous Substance Response Fund, reappropriated funds from the Department of Local Affairs, and federal funds.

### (B) HAZARDOUS WASTE CONTROL PROGRAM

This subdivision has four primary responsibilities: permitting, compliance assurance, corrective action, and compliance assistance. This program monitors compliance and enforces hazardous waste regulations over 500 large-quantity hazardous waste generators, 3,000 small generators, hazardous waste transporters, and 50 hazardous waste treatment, storage and disposal facilities. Funding for this subdivision is from the Hazardous Waste Service Fee and Illegal Drug Laboratory Funds, and federal funds.

### (C) SOLID WASTE CONTROL PROGRAM

This subdivision is responsible for the regulation of all solid waste management facilities in Colorado, including landfills, composting facilities, recycling facilities, transfer facilities, certain types of waste surface impoundments, asbestos waste facilities, solid waste incinerators, and medical waste facilities. There are 63 landfills regulated by the Solid Waste Control Program. Funding for this subdivision is from cash funds, including the Solid Waste Management Fund and the Radiation Control Fund.

### (D) CONTAMINATED SITE CLEANUPS AND REMEDIATION PROGRAMS

This subdivision is comprised of the following programs and is funded primarily from the Hazardous Substance Response Fund and federal funds.

- The Superfund Program works with the U.S. Environmental Protection Agency as either the lead agency or support agency in the review and implementation of cleanup plans and oversight of the cleanup work at

superfund sites. Funding for cleanup of the Rocky Mountain Arsenal superfund site is included in this program. There are 26 Superfund Sites in Colorado.

- The subdivision provides the Department of Law with technical support relating to the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).
- The Contaminated Site Cleanups Program works to facilitate the cleanup of contaminated sites that have not been designated as superfund sites.
- The Uranium Mill Tailings Remedial Action Program assists local governments in managing mill tailings that were not removed during cleanup and are disturbed during road work or other renewal or building activities.
- The Rocky Flats Program is responsible for monitoring long-term operations and maintenance of continuing remedy components (i.e., ground water cleanups and landfill caps), and closing out the administrative aspects of the regulatory process for site remediation.

#### (E) RADIATION MANAGEMENT

This subdivision provides regulatory services for radioactive materials through the review of license applications and inspections of facilities; administration of contract services with local public health agencies for indoor radon testing, prevention, and education; and monitoring low-level radioactive waste producers by ensuring proper and economically sound disposal. Funding for this subdivision is primarily from the Radiation Control Fund and federal funds.

#### (F) WASTE TIRE PROGRAM

This subdivision is responsible for regulating the reuse and disposal of waste tires including: regulation of waste tire haulers and facilities that generate, collect, store, process and/or use waste tires; awarding grants to local agencies for equipment, training and other activities related to prevention and response to waste tire fires; developing initiatives designed to encourage the disposal, recycling or reuse of illegally dumped tires and the recycling or reuse of waste tires; and payment of rebates to waste tire end users. Funding for this subdivision is from revenue from a \$0.55 fee on waste tires. This fee increased to \$2.00 per tire beginning January 1, 2020 through January 1, 2024, pursuant to S.B. 19-198 (Continued Management Of Waste Tires)

HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$26,456,834	\$0	\$17,748,163	\$292,960	\$8,415,711	116.2
SB 19-198	3,262,500	0	3,262,500	0	0	0.0
<b>TOTAL</b>	<b>\$29,719,334</b>	<b>\$0</b>	<b>\$21,010,663</b>	<b>\$292,960</b>	<b>\$8,415,711</b>	<b>116.2</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$29,719,334	\$0	\$21,010,663	\$292,960	\$8,415,711	116.2
Annualize prior year legislation	3,090,896	0	3,055,600	431	34,865	0.0
Annualize prior year budget actions	416,513	0	201,513	15,000	200,000	0.0
Other technical adjustments	37,993	0	37,993	0	0	0.0
Indirect cost assessment	(866,485)	0	(675,149)	280	(191,616)	0.0
Technical reductions to spending authority	(287,315)	0	(287,315)	0	0	(3.5)
<b>HB 20-1360</b>	<b>\$32,110,936</b>	<b>\$0</b>	<b>\$23,343,305</b>	<b>\$308,671</b>	<b>\$8,458,960</b>	<b>112.7</b>
HB 20-1119	43,836	0	43,836	0	0	0.5
HB 20-1374	(100,890)	0	(100,890)	0	0	(0.7)
<b>TOTAL</b>	<b>\$32,053,882</b>	<b>\$0</b>	<b>\$23,286,251</b>	<b>\$308,671</b>	<b>\$8,458,960</b>	<b>112.5</b>
<b>INCREASE/(DECREASE)</b>	<b>\$2,334,548</b>	<b>\$0</b>	<b>\$2,275,588</b>	<b>\$15,711</b>	<b>\$43,249</b>	<b>(3.7)</b>
Percentage Change	7.9%	n/a	10.8%	5.4%	0.5%	(3.2%)

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 19-198 Continued management of waste tires	\$3,037,500	\$0	\$3,037,500	\$0	\$0	0.0
SB 18-200 PERA	53,396	0	18,100	431	34,865	0.0
<b>TOTAL</b>	<b>\$3,090,896</b>	<b>\$0</b>	<b>\$3,055,600</b>	<b>\$431</b>	<b>\$34,865</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$416,513 total funds to reflect the out year impact of the FY 2019-20 salary survey.

**OTHER TECHNICAL ADJUSTMENTS:** The appropriation includes an increase of \$37,993 cash funds for legal costs related to the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the division's indirect cost assessment.

**TECHNICAL REDUCTIONS TO SPENDING AUTHORITY:** The appropriation includes a reduction of \$287,315 cash funds and 3.5 FTE for FY 2020-21. The Department identified reversions across several divisions and this decrease will align spending authority with anticipated expenditures.

### DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY

This division is comprised of multiple programs aimed to protect and improve Colorado's environment and human health. These programs address food safety in restaurants, schools, child care facilities, and state correctional facilities, as well as the production and sale of safe food; protect land, water, and air quality resources affected by the agricultural animal feeding industry; and protect and improve Colorado's environment through programs that conserve and reuse resources, prevent pollution, and advance the principles of sustainable development. The Division administers six programs, including:

- The Dairy Program inspects dairy operations from the farm to the production plant in accordance with state and federal standards to ensure safe milk products and allow for interstate shipment of these products.
- The Retail Food Program ensures safe food in restaurants, mobile food trucks, grocery stores, and school cafeterias by utilizing federal standards to develop state regulations for inspections and to provide compliance assistance to these operations.
- The Manufactured Food Program incorporates federal requirements into state regulations to inspect and ensure safe food products from food manufacturers, seafood and shellfish dealers, and food storage and warehouse facilities.
- The Environmental Institutions Program develops state requirements and inspects facilities to ensure safe environments in child care centers, summer camps, public and private schools, and correctional facilities.
- The Environmental Agriculture Program inspects concentrated animal feed operations and housed commercial swine feeding operations pursuant to state and federal requirements to ensure generated waste is managed to protect Colorado's water, air, and land.
- Sustainability Programs implement the medication take back program, recycling grants, environmental leadership program, supplemental environmental projects, and pollution prevention initiatives.



This division is funded by General Fund, cash funds, reappropriated funds, and federal funds. The major sources of cash funds are from license fees for businesses, such as retail and wholesale food licenses. Reappropriated funds are from the Departments of Corrections and Human Services for the inspection of adult and youth correctional facilities.

DIVISION OF ENVIRONMENTAL HEALTH AND SUSTAINABILITY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$11,253,169	\$1,686,167	\$8,013,521	\$111,730	\$1,441,751	45.3
SB 19-227	38,402	38,402	0	0	0	0.4
<b>TOTAL</b>	<b>\$11,291,571</b>	<b>\$1,724,569</b>	<b>\$8,013,521</b>	<b>\$111,730</b>	<b>\$1,441,751</b>	<b>45.7</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$11,291,571	\$1,724,569	\$8,013,521	\$111,730	\$1,441,751	45.7
Annualize prior year budget actions	200,000	20,000	180,000	0	0	0.0
Annualize prior year legislation	129,664	124,565	5,099	0	0	(0.1)
Indirect cost assessment	(358,069)	0	(307,846)	0	(50,223)	0.0
Technical reductions to spending authority	(104,360)	0	(104,360)	0	0	(2.5)
<b>HB 20-1360</b>	<b>\$11,158,806</b>	<b>\$1,869,134</b>	<b>\$7,786,414</b>	<b>\$111,730</b>	<b>\$1,391,528</b>	<b>43.1</b>
SB 20-055	985,283	0	985,283	0	0	2.1
<b>TOTAL</b>	<b>\$12,144,089</b>	<b>\$1,869,134</b>	<b>\$8,771,697</b>	<b>\$111,730</b>	<b>\$1,391,528</b>	<b>45.2</b>
<b>INCREASE/(DECREASE)</b>	<b>\$852,518</b>	<b>\$144,565</b>	<b>\$758,176</b>	<b>\$0</b>	<b>(\$50,223)</b>	<b>(0.5)</b>
Percentage Change	7.6%	8.4%	9.5%	0.0%	(3.5%)	(1.1%)

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$200,000 total funds, including \$20,000 General Fund, to reflect the out year impact of the FY 2019-20 salary survey.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 19-227 Harm reduction substance use disorders	\$117,795	\$117,795	\$0	\$0	\$0	(0.1)
SB 18-200 PERA	11,869	6,770	5,099	0	0	0.0
<b>TOTAL</b>	<b>\$129,664</b>	<b>\$124,565</b>	<b>\$5,099</b>	<b>\$0</b>	<b>\$0</b>	<b>(0.1)</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the division's indirect cost assessment.

**TECHNICAL REDUCTIONS TO SPENDING AUTHORITY:** The appropriation includes a reduction of \$104,360 cash funds and 2.5 FTE for FY 2020-21. The Department identified reversions across several divisions and this decrease will align spending authority with anticipated expenditures.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## DISEASE CONTROL AND ENVIRONMENTAL EPIDEMIOLOGY DIVISION

This division is comprised of three subdivisions: Administration, General Disease Control, and Surveillance; Special Purpose Disease Control Programs; and Environmental Epidemiology.

### (A) ADMINISTRATION, GENERAL DISEASE CONTROL, AND SURVEILLANCE

This subdivision has three areas of responsibility: (1) provision of division-wide administration and support, (2) maintaining and monitoring the disease-monitoring network, and (3) operation of the Immunization Program. This subdivision is funded by General Fund, cash funds from the Tobacco Master Settlement Agreement, and federal funds. The Immunization Program consists of the following:

- The Immunization Outreach Program provides free immunization clinics around the state.
- The Colorado Immunization Information System houses immunization records, allowing health care providers to easily check a child's immunization status during a health care visit. This helps to ensure that a child is up-to-date on their immunizations and is not over-immunized. The system can also send reminders to parents of children who are not up-to-date on their immunizations.
- The Immunization Program also provides grants to local public health agencies for immunization clinics.

### (B) SPECIAL PURPOSE DISEASE CONTROL PROGRAMS

This subdivision is responsible for disease control programs that are designed to control and prevent certain communicable diseases including: sexually transmitted infections; HIV and AIDS; and tuberculosis. This subdivision is funded by General Fund, cash funds from the Tobacco Master Settlement Agreement, and federal funds.

### (C) ENVIRONMENTAL EPIDEMIOLOGY

This subdivision houses the Marijuana Health Effects Monitoring Program, which is responsible for researching the health impacts of marijuana use. This subdivision also includes funding for retail marijuana health research grants and data analysis of data relating to oil and gas operations. Funding for this subdivision is from the Oil and Gas Conservation and Environmental Response Fund, the Marijuana Tax Cash Fund, and federal funds.

DISEASE CONTROL AND ENVIRONMENTAL EPIDEMIOLOGY DIVISION						
	TOTAL FUNDS	GENERAL FUND <sup>1,2</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$105,310,408	\$6,816,247	\$17,177,940	\$0	\$81,316,221	144.9
HB 20-1255	538,999	538,999	0	0	0	1.9
<b>TOTAL</b>	<b>\$105,849,407</b>	<b>\$7,355,246</b>	<b>\$17,177,940</b>	<b>\$0</b>	<b>\$81,316,221</b>	<b>146.8</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$105,849,407	\$7,355,246	\$17,177,940	\$0	\$81,316,221	146.8
Immunization funding for rural LPHAs	2,000,000	2,000,000	0	0	0	0.0
Immunization outreach	1,500,000	1,500,000	0	0	0	0.0
Annualize prior year budget actions	112,099	35,000	(510,253)	0	587,352	(0.3)
Mobile air monitoring vans	65,836	0	65,836	0	0	0.5
Tobacco revenue adjustment	(5,018,187)	(19,947)	(4,998,240)	0	0	0.0
Annualize prior year legislation	(403,433)	(526,400)	4,865	15,252	102,850	0.0
Indirect cost assessment	(161,969)	0	400,821	0	(562,790)	0.0
Other budget balancing actions	(47,550)	(47,550)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$103,896,203</b>	<b>\$10,296,349</b>	<b>\$12,140,969</b>	<b>\$15,252</b>	<b>\$81,443,633</b>	<b>147.0</b>
SB 20-163	31,884	31,884	0	0	0	0.1
<b>TOTAL</b>	<b>\$103,928,087</b>	<b>\$10,328,233</b>	<b>\$12,140,969</b>	<b>\$15,252</b>	<b>\$81,443,633</b>	<b>147.1</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$1,921,320)</b>	<b>\$2,972,987</b>	<b>(\$5,036,971)</b>	<b>\$15,252</b>	<b>\$127,412</b>	<b>0.3</b>
Percentage Change	(1.8%)	40.4%	(29.3%)	0.1%	0.2%	0.2%

<sup>1</sup> Includes General Fund Exempt

<sup>2</sup> Includes appropriations from the CARE subfund of the General Fund for FY 2020-21.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**IMMUNIZATION FUNDING FOR RURAL LPHAS:** The appropriation includes \$2.0 million from the CARE subfund in the General Fund for FY 2020-21 for immunization funding for rural local public health agencies (LPHAs).

**IMMUNIZATION OUTREACH:** The appropriation includes an increase of \$1.5 million General Fund to create a grant program available to local public health agencies. The grant program will make funds available for LPHAs to use various strategies to increase the measles, mumps, and rubella vaccination rates among the State's kindergarten population.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the out-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$670,939	\$35,000	\$48,587	\$0	\$587,352	0.0
FY 16-17 Marijuana health research grants	(558,840)	0	(558,840)	0	0	(0.3)
<b>TOTAL</b>	<b>\$112,099</b>	<b>\$35,000</b>	<b>(\$510,253)</b>	<b>\$0</b>	<b>\$587,352</b>	<b>(0.3)</b>

**MOBILE AIR MONITORING VANS:** The appropriation includes an increase of \$65,836 cash funds and 0.5 FTE for FY 2020-21 to add a toxicologist in the Disease Control and Environmental Epidemiology Division. The toxicologist will study the impact of oil and gas on public health and assist in the analysis of the data collected by the monitoring van.

**TOBACCO REVENUE ADJUSTMENT:** The appropriation includes a decrease of \$5,018,187, including \$19,947 General Fund, for adjustments related to the Tobacco Master Settlement Agreement and Amendment 35 allocations.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the second-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$120,314	\$12,599	\$4,865	\$0	\$102,850	0.0
SB 19-008 Substance use disorder treatment in criminal justice system	15,252	0	0	15,252	0	0.0
HB 20-1255 Supplemental bill	(538,999)	(538,999)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$403,433)</b>	<b>(\$526,400)</b>	<b>\$4,865</b>	<b>\$15,252</b>	<b>\$102,850</b>	<b>0.0</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the division's indirect cost assessment.

**OTHER BUDGET BALANCING ACTIONS:** The appropriation includes a decrease of \$47,550 General Fund for the Tuberculosis Operating Expenses line item to eliminate state travel costs.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## PREVENTION SERVICES DIVISION

This division is comprised of the following five subdivisions: Administration, Chronic Disease Prevention Programs, Primary Care Office, Family and Community Health, and Nutrition Services.

### (A) ADMINISTRATION

This subdivision provides administrative services to the other division programs. Funding for this subdivision is from the General Fund, various division cash funds, and federal funds.

### (B) CHRONIC DISEASE PREVENTION PROGRAMS

This subdivision provides target prevention services for specific chronic diseases including: breast and cervical cancer, lung cancer, and cardiovascular and chronic pulmonary disease. This subdivision also includes oral health programs and tobacco cessation, education, and prevention programs. Funding for this subdivision includes the Prevention, Early Detection, and Treatment Fund and the Tobacco Education Programs Fund which receive revenue from the Amendment 35 tobacco tax, Medicaid reappropriated funds, and federal funds.

### (C) PRIMARY CARE OFFICE

This subdivision assesses the need for primary health care professionals in various parts of the state and directs incentives to qualified professionals and clinics willing to serve in areas that are short of providers. Funding for this subdivision includes General Fund, cash funds from the Tobacco Master Settlement Agreement, and federal funds.

### (D) FAMILY AND COMMUNITY HEALTH

This subdivision includes the following three program areas: (1) Women's Health Programs, (2) Children and Youth Programs, and (3) Injury, Suicide, and Violence Prevention Programs. Women's Health Programs include health and family planning services for low-income women, prenatal and postpartum services, and counseling and education to low-income pregnant women and their newborns. Children and Youth Programs include the children with special needs health care program, genetics counseling for children with possible genetic disorders, and school-based health centers. Injury, Suicide, and Prevention Programs include suicide and injury prevention programs. Funding for this subdivision includes General Fund, cash funds from the Newborn Screening and Genetic Counseling Cash Fund and the Marijuana Tax Cash Fund, and federal funds.

### (E) NUTRITION SERVICES

This subdivision includes the Women, Infants and Children (WIC) Nutrition Program and the Child and Adult Food Care Program. WIC provides a monthly check to low-income (185.0 percent of federal poverty guidelines) women and children who are at-risk of poor nutritional outcomes. The Child and Adult Food Care Program provides reimbursement for nutritious foods to participating child care centers, Head Start programs, family day care homes, and adult day care centers. These programs are entirely federally funded.

PREVENTION SERVICES DIVISION						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$238,513,370	\$19,072,206	\$69,700,089	\$1,300,755	\$148,440,320	199.6
SB 19-008	3,600,000	0	1,800,000	1,800,000	0	1.8
SB 19-188	17,004	17,004	0	0	0	0.1
SB 19-227	621,070	396,070	225,000	0	0	1.8
SB 19-228	71,852	0	71,852	0	0	0.9
HB 19-1032	987,595	987,595	0	0	0	1.3
HB 19-1064	300,000	300,000	0	0	0	0.0
HB 19-1122	145,167	145,167	0	0	0	1.6
HB 19-1133	632,717	632,717	0	0	0	0.6

PREVENTION SERVICES DIVISION						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1203	3,000,000	0	3,000,000	0	0	0.8
HB 20-1411	1,400,000	1,400,000	0	0	0	0.0
<b>TOTAL</b>	<b>\$249,288,775</b>	<b>\$22,950,759</b>	<b>\$74,796,941</b>	<b>\$3,100,755</b>	<b>\$148,440,320</b>	<b>208.5</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$249,288,775	\$22,950,759	\$74,796,941	\$3,100,755	\$148,440,320	208.5
Annualize prior year budget actions	147,821	52,400	95,421	0	0	0.0
Tobacco revenue adjustment	(4,069,526)	0	(4,069,526)	0	0	0.0
Annualize prior year legislation	(3,872,745)	(1,553,563)	(2,268,930)	(50,252)	0	(0.8)
Marijuana Education Campaign funding	(3,700,000)	0	(3,700,000)	0	0	(3.7)
Indirect cost assessment	(2,411,225)	0	(1,853,264)	35,926	(593,887)	0.0
Other budget balancing actions	(1,755,605)	(1,083,850)	(671,755)	0	0	0.0
Family planning reduction	(713,919)	(713,919)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$232,913,576</b>	<b>\$19,651,827</b>	<b>\$62,328,887</b>	<b>\$3,086,429</b>	<b>\$147,846,433</b>	<b>204.0</b>
HB 20-1384	(108,640)	(108,640)	0	0	0	(0.2)
<b>TOTAL</b>	<b>\$232,804,936</b>	<b>\$19,543,187</b>	<b>\$62,328,887</b>	<b>\$3,086,429</b>	<b>\$147,846,433</b>	<b>203.8</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$16,483,839)</b>	<b>(\$3,407,572)</b>	<b>(\$12,468,054)</b>	<b>(\$14,326)</b>	<b>(\$593,887)</b>	<b>(4.7)</b>
Percentage Change	(6.6%)	(14.8%)	(16.7%)	(0.5%)	(0.4%)	(2.3%)

<sup>1</sup> Includes appropriations from the CARE subfund of the General Fund for FY 2020-21.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

H.B. 20-1411 modified the FY 2019-20 appropriation to:

- Add \$250,000 from the CARE subfund in the General Fund for mental health first aid in-person and virtual training; and
- Add \$1,150,000 from the CARE subfund in the General Fund for opiate antagonist bulk purchase and school-based health centers.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$147,821 total funds, including \$52,400 General Fund, for the second-year impact of the FY 2019-20 salary survey.

**TOBACCO REVENUE ADJUSTMENT:** The appropriation includes a decrease of \$4,069,526 General Fund, for adjustments related to the Tobacco Master Settlement Agreement and Amendment 35 allocations.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the second-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 19-227 Harm reduction substance use disorders	\$481,978	(\$243,022)	\$725,000	\$0	\$0	0.2
HB 19-1133 Child abuse response and evaluation network	279,059	279,059	0	0	0	(0.2)
SB 19-195 Child and youth behavioral system enhancements	108,840	108,840	0	0	0	0.2
SB 18-200 PERA	29,307	19,550	9,757	0	0	0.0
HB 18-1006 Infant newborn screening	8,000	0	8,000	0	0	0.0
HB 19-1122 Maternal mortality review committee	610	610	0	0	0	0.0

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1203 School nurse grant program	(2,939,835)	0	(2,939,835)	0	0	(0.2)
HB20-1411 COVID fund allocation for behavioral health	(1,400,000)	(1,400,000)	0	0	0	0.0
HB 19-1064 Victim notification criminal proceedings	(300,000)	(300,000)	0	0	0	0.0
SB 19-228 Substance use disorders prevention measures	(71,852)	0	(71,852)	0	0	(0.9)
SB 19-008 Substance use disorder treatment in criminal justice system	(50,252)	0	0	(50,252)	0	0.2
SB 19-188 Family medical leave insurance program	(17,004)	(17,004)	0	0	0	(0.1)
HB 19-1032 Comprehensive human sexuality education	(1,596)	(1,596)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$3,872,745)</b>	<b>(\$1,553,563)</b>	<b>(\$2,268,930)</b>	<b>(\$50,252)</b>	<b>\$0</b>	<b>(0.8)</b>

**MARIJUANA EDUCATION CAMPAIGN FUNDING:** The appropriation includes a \$3,700,000 cash fund decrease to the Marijuana Education Campaign as part of the budget balancing process.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the Department's indirect cost assessment.

**OTHER BUDGET BALANCING ACTIONS:** The appropriation includes several other budget balancing adjustments, as outlined in the table below.

OTHER BUDGET BALANCING ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Primary Care Office Transfer	(\$511,038)	\$0	(\$511,038)	\$0	\$0	0.0
Comprehensive Sex Ed Reduction	(492,999)	(492,999)	0	0	0	0.0
CARE Network Reduction	(300,000)	(300,000)	0	0	0	0.0
CCVGP Reduction	(176,114)	(176,114)	0	0	0	0.0
Dental Load Repayment Transfer	(160,717)	0	(160,717)	0	0	0.0
Child Fatality Prevention Reduction	(58,269)	(58,269)	0	0	0	0.0
Suicide prevention reduction	(56,468)	(56,468)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$1,755,605)</b>	<b>(\$1,083,850)</b>	<b>(\$671,755)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**FAMILY PLANNING REDUCTION:** The appropriation includes a decrease of \$713,919 General Fund to the Family Planning Program. The program provides family planning consulting, contraception, and testing to around 55,000 people annually. This reduction is anticipated to affect 8,250 clients.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## HEALTH FACILITIES AND EMERGENCY MEDICAL SERVICES DIVISION

This division is comprised of three subdivisions.

### (A) OPERATIONS MANAGEMENT

This subdivision provides division-wide services to the Health Facilities Program. Funding for this subdivision is General Fund, divisional cash funds, and federal funds.

## (B) HEALTH FACILITIES PROGRAMS

This subdivision is responsible for the licensing and regulation of 3,269 medical facilities. Licensing activities conducted by the division include performing fitness reviews, conducting fire safety inspections, investigating complaints, and conducting enforcement activities. General Fund is required pursuant to Section 25-3-103.1, C.R.S., so that fees paid by non-government owned facilities do not subsidize the regulation of government-owned facilities. Funding for this subdivision is from the General Fund, cash funds including the Assisted Living Residences Cash Fund and the Health Facilities General Licensure Cash Fund, Medicaid reappropriated funds, and federal funds.

## (C) EMERGENCY MEDICAL SERVICES

This subdivision supports the emergency medical and trauma services system in Colorado, which provides transportation and immediate care to the ill and injured 24 hours a day, 365 days a year. Emergency medical and trauma care services are defined as the immediate health care services needed because of an injury or sudden illness, particularly when there is a threat to life or long-term functional abilities. Funding through this subdivision is provided to the Rocky Mountain Poison Control Center for operation of the poison center and call line. Funding for this subdivision includes General Fund, cash funds including the Emergency Medical Services Account within the Highway Users Tax Fund, and federal funds.

HEALTH FACILITIES AND EMERGENCY MEDICAL SERVICES DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$34,324,564	\$1,883,954	\$19,412,396	\$6,713,423	\$6,314,791	179.6
SB 19-065	57,242	0	57,242	0	0	0.8
HB 19-1010	43,248	0	43,248	0	0	0.5
HB 19-1160	30,730	30,730	0	0	0	0.5
HB 19-1174	33,884	33,884	0	0	0	0.4
HB 19-1183	15,000	15,000	0	0	0	0.0
HB 19-1237	51,472	51,472	0	0	0	0.5
<b>TOTAL</b>	<b>\$34,556,140</b>	<b>\$2,015,040</b>	<b>\$19,512,886</b>	<b>\$6,713,423</b>	<b>\$6,314,791</b>	<b>182.3</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$34,556,140	\$2,015,040	\$19,512,886	\$6,713,423	\$6,314,791	182.3
Annualize prior year budget actions	253,151	10,000	93,151	150,000	0	0.0
Annualize prior year legislation	96,105	(43,355)	48,782	25,289	65,389	0.4
Indirect cost assessment	(297,509)	0	(123,499)	23,292	(197,302)	0.0
<b>HB 20-1360</b>	<b>\$34,607,887</b>	<b>\$1,981,685</b>	<b>\$19,531,320</b>	<b>\$6,912,004</b>	<b>\$6,182,878</b>	<b>182.7</b>
SB 20-057	4,151	0	0	1,954	2,197	0.0
HB 20-1397	(44,007)	(44,007)	0	0	0	0.0
<b>TOTAL</b>	<b>\$34,568,031</b>	<b>\$1,937,678</b>	<b>\$19,531,320</b>	<b>\$6,913,958</b>	<b>\$6,185,075</b>	<b>182.7</b>
<b>INCREASE/(DECREASE)</b>	<b>\$11,891</b>	<b>(\$77,362)</b>	<b>\$18,434</b>	<b>\$200,535</b>	<b>(\$129,716)</b>	<b>0.4</b>
Percentage Change	0.1%	(3.8%)	0.1%	3.0%	(2.1%)	0.2%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$286,072	\$10,000	\$126,072	\$150,000	\$0	0.0
FY 19-20 Assisted living residence	(32,921)	0	(32,921)	0	0	0.0
<b>TOTAL</b>	<b>\$253,151</b>	<b>\$10,000</b>	<b>\$93,151</b>	<b>\$150,000</b>	<b>\$0</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1237 Licensing behavioral health entities	\$74,770	\$9,381	\$0	\$0	\$65,389	1.0
SB 18-200 PERA	64,368	5,526	33,553	25,289	0	0.0
HB 19-1010 Freestanding emergency departments licensure	29,155	0	29,155	0	0	0.1
HB 19-1174 Out-of-network health care services	(23,385)	(23,385)	0	0	0	(0.2)
HB 19-1160 Mental health facility pilot program	(19,877)	(19,877)	0	0	0	(0.4)
HB 19-1183 Automated external defibrillators in public places	(15,000)	(15,000)	0	0	0	0.0
SB 19-065 Peer assistance EMS provider	(13,926)	0	(13,926)	0	0	(0.1)
<b>TOTAL</b>	<b>\$96,105</b>	<b>(\$43,355)</b>	<b>\$48,782</b>	<b>\$25,289</b>	<b>\$65,389</b>	<b>0.4</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the Department's indirect cost assessment.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## OFFICE OF EMERGENCY PREPAREDNESS AND RESPONSE

The Office develops and implements emergency response plans to enable the Department to ensure the protection of health and the medical response for victims when an emergency occurs in Colorado. The Office works to ensure the Department, local public health, and medical agencies have plans for responding to emergency events and administering medication in mass quantities to all citizens in Colorado. Funding for this division includes General Fund and federal funds. Additional responsibilities of the Office include:

- Training of health and medical professionals on the latest and improved response protocols, including the National Incident Management System;
- Ensuring that public health and medical programs are integrated with law enforcement, the Division of Emergency Management and other state departments critical to the state's response;
- Providing emergency preparedness education and training to Department employees, as well as medical and public health partners;
- Ensuring the rapid receipt, storage, and distribution of the Strategic National Stockpile (SNS) supplies and medication during an emergency;
- Activation of the Department Emergency Operations Center (DOC) during emergency situations;
- Coordinating and enhancing the capacity of the Emergency System for Advance Registration of Volunteer Health Professionals, which enables the Colorado Hospital Preparedness Program to expand and integrate the Colorado Medical Reserve Corps to enable the preparation of volunteers for an all-hazards response; and
- Fulfilling responsibilities as the lead state agency for behavioral health during and after an emergency event to assist individuals and communities recovering from the challenging effects of natural and human-caused disasters through the provision of community-based outreach and psycho-educational services.

The amount of federal dollars this Division receives is driven by formulas that are based in part on state population, and if the state accepts the federal funds the state must provide the required match amount.



OFFICE OF EMERGENCY PREPAREDNESS AND RESPONSE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$16,257,141	\$1,589,199	\$0	\$0	\$14,667,942	35.1
<b>TOTAL</b>	<b>\$16,257,141</b>	<b>\$1,589,199</b>	<b>\$0</b>	<b>\$0</b>	<b>\$14,667,942</b>	<b>35.1</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$16,257,141	\$1,589,199	\$0	\$0	\$14,667,942	35.1
Annualize prior year legislation	5,146	5,146	0	0	0	0.0
Indirect cost assessment	(136,509)	0	0	0	(136,509)	0.0
<b>HB 20-1360</b>	<b>\$16,125,778</b>	<b>\$1,594,345</b>	<b>\$0</b>	<b>\$0</b>	<b>\$14,531,433</b>	<b>35.1</b>
<b>TOTAL</b>	<b>\$16,125,778</b>	<b>\$1,594,345</b>	<b>\$0</b>	<b>\$0</b>	<b>\$14,531,433</b>	<b>35.1</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$131,363)</b>	<b>\$5,146</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$136,509)</b>	<b>0.0</b>
Percentage Change	(0.8%)	0.3%	n/a	n/a	(0.9%)	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an increase of \$5,146 General Fund for the out-year impact of S.B. 18-200 (Eliminate Unfunded PERA Liability).

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the Department's indirect cost assessment.

# Details

## DEPARTMENT OF PUBLIC SAFETY

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

DEPARTMENT OF PUBLIC SAFETY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$533,434,449</b>	<b>\$171,309,553</b>	<b>\$239,452,903</b>	<b>\$52,591,767</b>	<b>\$70,080,226</b>	<b>1,908.1</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Executive Director's Office	\$82,592,943	\$18,260,431	\$36,253,321	\$26,528,682	\$1,550,509	128.2
Colorado State Patrol	175,765,398	6,835,695	152,173,667	10,630,670	6,125,366	1,163.3
Division of Fire Prevention and Control	31,339,215	19,743,387	6,355,046	4,889,741	351,041	117.7
Division of Criminal Justice	135,924,598	90,630,993	4,858,563	5,796,833	34,638,209	85.0
Colorado Bureau of Investigation	42,980,579	19,509,524	18,096,604	4,200,053	1,174,398	315.5
Division of Homeland Security and Emergency Management	64,831,716	16,329,523	21,715,702	545,788	26,240,703	98.4
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$524,032,030	\$165,477,267	\$236,387,781	\$52,086,756	\$70,080,226	1,894.5
SB 19-008	40,300	40,300	0	0	0	0.0
SB 19-020	350,000	350,000	0	0	0	0.0
SB 19-040	174,183	174,183	0	0	0	0.8
SB 19-061	40,291	40,291	0	0	0	0.5
SB 19-179	1,150,000	0	1,150,000	0	0	0.0
HB 19-1073	979,947	0	500,000	479,947	0	0.7
HB 19-1090	18,772	0	0	18,772	0	0.0
HB 19-1230	4,576	0	0	4,576	0	0.0
HB 19-1242	128,188	0	128,188	0	0	0.7
HB 19-1275	443,847	0	443,847	0	0	6.6
HB 19-1297	26,107	26,107	0	0	0	0.3
HB 19-1327	1,716	0	0	1,716	0	0.0
HB 20-1256	6,044,492	5,201,405	843,087	0	0	4.0
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$504,235,868</b>	<b>\$152,018,983</b>	<b>\$235,478,753</b>	<b>\$46,820,156</b>	<b>\$69,917,976</b>	<b>1,905.8</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Executive Director's Office	\$71,430,498	\$14,131,686	\$33,512,815	\$22,508,312	\$1,277,685	128.2
Colorado State Patrol	178,218,385	6,984,596	155,414,797	9,479,870	6,339,122	1,166.3
Division of Fire Prevention and Control	30,053,925	18,937,987	5,982,290	4,787,850	345,798	117.5
Division of Criminal Justice	127,818,971	82,859,182	4,462,773	5,790,030	34,706,986	85.2
Colorado Bureau of Investigation	42,609,472	19,818,507	17,401,923	4,188,253	1,200,789	310.2
Division of Homeland Security and Emergency Management	54,104,617	9,287,025	18,704,155	65,841	26,047,596	98.4
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360	\$505,823,820	\$153,040,145	\$235,729,989	\$47,135,710	\$69,917,976	1,904.5
SB 20-057	26,749	0	22,598	4,151	0	0.0
SB 20-197	55,620	0	55,620	0	0	0.3
SB 20-217	617,478	0	617,478	0	0	1.0
SB 20-218	1,552,558	0	1,552,558	0	0	0.0
HB 20-1153	18,996	0	18,996	0	0	0.0
HB 20-1379	(3,859,353)	(1,021,162)	(2,518,486)	(319,705)	0	0.0

DEPARTMENT OF PUBLIC SAFETY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>INCREASE/(DECREASE)</b>	(\$29,198,581)	(\$19,290,570)	(\$3,974,150)	(\$5,771,611)	(\$162,250)	(2.3)
Percentage Change	(5.5%)	(11.3%)	(1.7%)	(11.0%)	(0.2%)	(0.1%)

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of Public Safety are annotated with the "(I)". For additional information, see Appendix L.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$93,335,612	\$0	\$19,445,216	\$3,972,420	\$69,917,976

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### EXECUTIVE DIRECTOR'S OFFICE

This division manages the administrative and fiscal affairs of the Department. It also houses the Witness Protection Program, the Colorado Integrated Criminal Justice Information System, and the School Safety Resource Center.

EXECUTIVE DIRECTOR'S OFFICE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 APPROPRIATION:</b>						
SB 19-207	\$82,131,928	\$18,154,315	\$35,898,422	\$26,528,682	\$1,550,509	124.2
HB 20-1256	461,015	106,116	354,899	0	0	4.0
<b>TOTAL</b>	<b>\$82,592,943</b>	<b>\$18,260,431</b>	<b>\$36,253,321</b>	<b>\$26,528,682</b>	<b>\$1,550,509</b>	<b>128.2</b>
<b>FY 2020-21 APPROPRIATION:</b>						
FY 2019-20 Appropriation	\$82,592,943	\$18,260,431	\$36,253,321	\$26,528,682	\$1,550,509	128.2
Additional resources for school safety	387,839	0	387,839	0	0	4.0
Annualize prior year legislation	58,550	26,460	0	32,090	0	0.0
Technical correction for HB 19-1275	27,710	0	27,710	0	0	0.0
Indirect cost assessment	0	(4,512,343)	(2,359,601)	6,871,944	0	0.0
Technical adjustment	0	(1,228,913)	0	1,228,913	0	0.0
Refinance School Safety Resource Center	0	(558,222)	558,222	0	0	0.0
Annualize prior year budget actions	(4,996,030)	(1,024,937)	(3,623,061)	(215,380)	(132,652)	(4.0)
Centrally appropriated line items	(2,796,097)	4,190,372	4,671,935	(11,518,232)	(140,172)	0.0
Reduce unused leased space spending authority	(100,000)	0	0	(100,000)	0	0.0
<b>HB 20-1360</b>	<b>\$75,174,915</b>	<b>\$15,152,848</b>	<b>\$35,916,365</b>	<b>\$22,828,017</b>	<b>\$1,277,685</b>	<b>128.2</b>
SB 20-217	95,940	0	95,940	0	0	0.0
HB 20-1153	18,996	0	18,996	0	0	0.0
HB 20-1379	(3,859,353)	(1,021,162)	(2,518,486)	(319,705)	0	0.0
<b>TOTAL</b>	<b>\$71,430,498</b>	<b>\$14,131,686</b>	<b>\$33,512,815</b>	<b>\$22,508,312</b>	<b>\$1,277,685</b>	<b>128.2</b>
<b>INCREASE/(DECREASE)</b>	(\$11,162,445)	(\$4,128,745)	(\$2,740,506)	(\$4,020,370)	(\$272,824)	(0.0)
Percentage Change	(13.5%)	(22.6%)	(7.6%)	(15.2%)	(17.6%)	(0.0%)

### FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1256 increases the FY 2019-20 appropriation by \$327,549 cash funds from the School Safety Resource Center (SSRC) Cash Fund. These funds support the addition of 4.0 FTE to serve as SSRC field staff in the northeast,

southeast, northwest, and southwest regions of the state. The bill also increases the Leased Space line item by \$27,350 cash funds as part of a net-zero reallocation of leased space funding from the Colorado Bureau of Investigation.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ADDITIONAL RESOURCES FOR SCHOOL SAFETY:** The appropriation includes an increase of \$387,839 cash fund spending authority and 4.0 FTE for School Safety Resource Center field staff in the northeast, southeast, northwest, and southwest regions of the state.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an increase of \$58,550 total funds for the out-year impact of S.B. 18-200 (PERA).

**TECHNICAL CORRECTION FOR H.B. 19-1275:** The appropriation includes an increase of \$27,710 cash funds as part of a net-zero technical correction to move the appropriation for leased space in H.B. 19-1275 (Increased Eligibility for Criminal Record Sealing) to the correct line item.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net zero change in the Department's indirect cost assessment, which includes a decrease of \$4,512,343 General Fund.

**TECHNICAL ADJUSTMENT:** The appropriation includes a net-zero technical adjustment that refinances General Fund with reappropriated funds.

**REFINANCE SCHOOL SAFETY RESOURCE CENTER:** The appropriation includes a net-zero refinancing of the School Safety Resource Center, replacing \$558,222 General Fund appropriations with cash funds from the School Safety Resource Center Cash Fund for budget balancing purposes.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	(\$4,641,131)	(\$1,024,937)	(\$3,268,162)	(\$215,380)	(\$132,652)	0.0
FY 19-20 Staff for school safety	(327,549)	0	(327,549)	0	0	(4.0)
FY 19-20 Technical correction HB 19-1275	(27,350)	0	(27,350)	0	0	0.0
<b>TOTAL</b>	<b>(\$4,996,030)</b>	<b>(\$1,024,937)</b>	<b>(\$3,623,061)</b>	<b>(\$215,380)</b>	<b>(\$132,652)</b>	<b>(4.0)</b>

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to the following centrally appropriated line items: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; PERA direct distributions; shift differential; workers' compensation; legal services; administrative law judges; payment to risk management and property funds; vehicle lease payments; Capitol complex leased space; payments to the Governor's Office of Information Technology (OIT); and CORE operations. The appropriation includes a Health, Life, and Dental (HLD) reduction of \$2,064,868 in lieu of a General Fund, personal services base reduction. The HLD adjustment is a budget balancing action.

**REDUCE UNUSED LEASED SPACE SPENDING AUTHORITY:** The appropriation includes a total spending authority reduction of \$100,000 reappropriated funds to adjust the EDO leased space line item to align with actual expenditures.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## COLORADO STATE PATROL

The State Patrol is responsible for the safe and efficient movement of motor vehicle traffic on federal, state, and county roads in Colorado. State Troopers enforce motor vehicle laws, assist motorists in need, conduct automotive and motor carrier safety checks, investigate traffic accidents, and oversee the transportation of hazardous materials. The primary funding sources include: the Highway Users Tax Fund, limited gaming funds transferred from the Department of Revenue, funds transferred from the Department of Transportation, the Vehicle Identification Number Inspection Fund, the Auto Theft Prevention Fund, and user fees from state and non-state agencies.

COLORADO STATE PATROL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$175,765,398	\$6,835,695	\$152,173,667	\$10,630,670	\$6,125,366	1,163.3
<b>TOTAL</b>	<b>\$175,765,398</b>	<b>\$6,835,695</b>	<b>\$152,173,667</b>	<b>\$10,630,670</b>	<b>\$6,125,366</b>	<b>1,163.3</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$175,765,398	\$6,835,695	\$152,173,667	\$10,630,670	\$6,125,366	1,163.3
Annualize prior year budget actions	3,367,514	190,133	2,954,307	137,611	85,463	2.0
Annualize prior year legislation	540,524	26,069	476,926	25,560	11,969	0.0
Technical adjustments	0	0	215,068	(195,881)	(19,187)	0.0
Indirect cost assessment	(2,646,001)	0	(2,539,570)	(282,080)	175,649	0.0
Reduce unused State Patrol spending authority	(800,000)	0	0	(800,000)	0	0.0
Centrally appropriated line items	(83,146)	(67,301)	60,303	(36,010)	(40,138)	0.0
<b>HB 20-1360</b>	<b>\$176,144,289</b>	<b>\$6,984,596</b>	<b>\$153,340,701</b>	<b>\$9,479,870</b>	<b>\$6,339,122</b>	<b>1,165.3</b>
SB 20-217	521,538	0	521,538	0	0	1.0
SB 20-218	1,552,558	0	1,552,558	0	0	0.0
<b>TOTAL</b>	<b>\$178,218,385</b>	<b>\$6,984,596</b>	<b>\$155,414,797</b>	<b>\$9,479,870</b>	<b>\$6,339,122</b>	<b>1,166.3</b>
<b>INCREASE/(DECREASE)</b>	<b>\$2,452,987</b>	<b>\$148,901</b>	<b>\$3,241,130</b>	<b>(\$1,150,800)</b>	<b>\$213,756</b>	<b>3.0</b>
Percentage Change	1.4%	2.2%	2.1%	(10.8%)	3.5%	0.3%

### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$3,367,514 total funds, including \$190,133 General Fund, for the out-year impact of prior year budget actions, including \$3,362,132 total funds for prior year salary survey.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an increase of \$540,524 total funds for the out-year impact of S.B. 18-200 (PERA).

**TECHNICAL ADJUSTMENTS:** The appropriation includes a net-zero technical adjustments to various line items.

**INDIRECT COST ASSESSMENT:** The appropriation includes a total decrease of \$2,646,001 in the division's indirect cost assessment.

**REDUCE UNUSED STATE PATROL SPENDING AUTHORITY:** The appropriation includes a decrease of \$800,000 reappropriated funds spending authority to accurately reflect expenditures for traffic control in construction and maintenance zones.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to vehicle lease payments for the division.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## DIVISION OF FIRE PREVENTION AND CONTROL

The Division of Fire Prevention and Control is tasked with fire code and wildfire management. The primary sources of cash funds for this division include: the proceeds of insurance premium taxes into the Wildfire Preparedness Fund; the Public School Construction and Inspection Cash Fund; the Emergency Fire Fund; the Wildland Fire Equipment Repair Cash Fund; the Firefighter, First Responder, and Hazardous Materials Responder Certification Fund; the Fire Suppression Cash Fund; and the Wildfire Emergency Response Fund.

DIVISION OF FIRE PREVENTION AND CONTROL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$30,163,914	\$19,083,624	\$5,839,508	\$4,889,741	\$351,041	116.4
SB 19-020	350,000	350,000	0	0	0	0.0
SB 19-040	174,183	174,183	0	0	0	0.8
SB 19-061	40,291	40,291	0	0	0	0.5
HB 20-1256	610,827	95,289	515,538	0	0	0.0
<b>TOTAL</b>	<b>\$31,339,215</b>	<b>\$19,743,387</b>	<b>\$6,355,046</b>	<b>\$4,889,741</b>	<b>\$351,041</b>	<b>117.7</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$31,339,215	\$19,743,387	\$6,355,046	\$4,889,741	\$351,041	117.7
Fire inspector overtime compensation	141,523	0	113,238	28,285	0	0.0
Adjust funding for completion of fire system	(573,404)	(573,404)	0	0	0	(0.5)
Annualize prior year budget actions	(380,358)	21,565	(424,475)	22,552	0	0.0
Annualize prior year legislation	(236,382)	(253,561)	14,756	2,423	0	0.3
Reduce unused spending authority in facility inspection	(144,336)	0	0	(144,336)	0	0.0
Indirect cost assessment	(119,082)	0	(98,873)	(14,966)	(5,243)	0.0
<b>HB 20-1360</b>	<b>\$30,027,176</b>	<b>\$18,937,987</b>	<b>\$5,959,692</b>	<b>\$4,783,699</b>	<b>\$345,798</b>	<b>117.5</b>
SB 20-057	26,749	0	22,598	4,151	0	0.0
<b>TOTAL</b>	<b>\$30,053,925</b>	<b>\$18,937,987</b>	<b>\$5,982,290</b>	<b>\$4,787,850</b>	<b>\$345,798</b>	<b>117.5</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$1,285,290)</b>	<b>(\$805,400)</b>	<b>(\$372,756)</b>	<b>(\$101,891)</b>	<b>(\$5,243)</b>	<b>(0.2)</b>
Percentage Change	(4.1%)	(4.1%)	(5.9%)	(2.1%)	(1.5%)	(0.2%)

### FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1256 increases the FY 2019-20 appropriation by \$610,827 total funds to retroactively compensate fire inspectors for overtime.

### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**FIRE INSPECTOR OVERTIME COMPENSATION:** The appropriation includes an increase of \$141,523 total funds to compensate fire inspectors for overtime work.

**ADJUST FUNDING FOR COMPLETION OF FIRE SYSTEM:** The appropriation includes a reduction of \$573,404 General Fund and 0.5 FTE to reflect the completion of the Colorado Wildland Fire Prediction and Decision Support System.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes a decrease of \$380,358 total funds to reflect the out-year impact of previous budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$230,152	\$116,854	\$90,746	\$22,552	\$0	0.0
FY 19-20 Additional resources fire and life	317	0	317	0	0	0.0
FY 19-20 Overtime for fire inspectors	(610,827)	(95,289)	(515,538)	0	0	0.0
<b>TOTAL</b>	<b>(\$380,358)</b>	<b>\$21,565</b>	<b>(\$424,475)</b>	<b>\$22,552</b>	<b>\$0</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION					
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FTE
SB 19-040 Establish Colorado Fire Commission	\$73,371	\$73,371	\$0	\$0	0.2
SB 18-200 PERA	41,448	24,269	14,756	2,423	0.0
SB 19-020 Wildfire Airspace Control System	(350,000)	(350,000)	0	0	0.0
SB 19-061 Breathing Apparatus Testing	(1,201)	(1,201)	0	0	0.1
TOTAL	(\$236,382)	(\$253,561)	\$14,756	\$2,423	0.3

**REDUCE UNUSED SPENDING AUTHORITY IN FACILITY INSPECTION:** The appropriation includes a reduction of \$144,336 reappropriated funds spending authority to align unused spending authority with actual expenditures for the Interagency Agreement between the Division of Fire Prevention and Control and the Colorado Department of Public Health and Environment's Health Facilities and Emergency Medical Services Division.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the division's indirect cost assessment.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## DIVISION OF CRIMINAL JUSTICE

The Division of Criminal Justice allocates funding for the State's community corrections programs and for local oversight boards. The Division also provides assistance to state and local agencies in the criminal justice system by analyzing policy, conducting criminal justice research, managing programs and administering grants.

The primary sources of cash funds are the Victims Assistance and Law Enforcement Fund (the State VALE Fund), the Child Abuse Investigation Surcharge Fund, the Sex Offender Surcharge Fund, and the Marijuana Tax Cash Fund. The primary sources of reappropriated funds are transfers of money appropriated to the Correctional Treatment Cash Fund in the Judicial Department and departmental indirect cost recoveries. Sources of federal funds include Federal Victims Assistance and Compensation Grants and State and Local Crime Control and System Improvement Grants.

DIVISION OF CRIMINAL JUSTICE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$130,858,191	\$85,564,586	\$4,858,563	\$5,796,833	\$34,638,209	84.7
SB 19-008	40,300	40,300	0	0	0	0.0
HB 19-1297	26,107	26,107	0	0	0	0.3
HB 20-1256	5,000,000	5,000,000	0	0	0	0.0
<b>TOTAL</b>	<b>\$135,924,598</b>	<b>\$90,630,993</b>	<b>\$4,858,563</b>	<b>\$5,796,833</b>	<b>\$34,638,209</b>	<b>85.0</b>
FY 2020-21 APPROPRIATION:						

DIVISION OF CRIMINAL JUSTICE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 Appropriation	\$135,924,598	\$90,630,993	\$4,858,563	\$5,796,833	\$34,638,209	85.0
Criminal justice training fund	120,000	0	120,000	0	0	0.0
Annualize prior year budget actions	(4,868,905)	(4,957,657)	29,714	15,443	43,595	0.0
Adjust funding for community corrections placements	(1,989,330)	(1,989,330)	0	0	0	0.0
Community provider rate adjustment	(834,500)	(808,344)	0	(26,156)	0	0.0
Adjust funds for civil asset forfeiture reforms grant	(495,703)	0	(495,703)	0	0	0.0
Reduce administrative services spending authority	(33,301)	0	(33,301)	0	0	0.0
Annualize prior year legislation	(2,292)	(16,480)	3,538	3,910	6,740	0.2
Indirect cost assessment	(1,596)	0	(20,038)	0	18,442	0.0
<b>HB 20-1360</b>	<b>\$127,818,971</b>	<b>\$82,859,182</b>	<b>\$4,462,773</b>	<b>\$5,790,030</b>	<b>\$34,706,986</b>	<b>85.2</b>
<b>TOTAL</b>	<b>\$127,818,971</b>	<b>\$82,859,182</b>	<b>\$4,462,773</b>	<b>\$5,790,030</b>	<b>\$34,706,986</b>	<b>85.2</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$8,105,627)</b>	<b>(\$7,771,811)</b>	<b>(\$395,790)</b>	<b>(\$6,803)</b>	<b>\$68,777</b>	<b>0.2</b>
Percentage Change	(6.0%)	(8.6%)	(8.1%)	(0.1%)	0.2%	0.2%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1256 increases the FY 2019-20 appropriation by \$5,000,000 General Fund for a one-time caseload adjustment in community corrections.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**CRIMINAL JUSTICE TRAINING FUND:** The appropriation includes an increase of \$120,000 cash fund spending authority from the Criminal Justice Training Fund to cover the costs of increased trainings offered by the Division of Criminal Justice.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$206,095	\$117,343	\$29,714	\$15,443	\$43,595	0.0
FY 19-20 Community corrections caseload adjustment	(5,000,000)	(5,000,000)	0	0	0	0.0
FY 19-20 Performance based contracting preparation	(75,000)	(75,000)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$4,868,905)</b>	<b>(\$4,957,657)</b>	<b>\$29,714</b>	<b>\$15,443</b>	<b>\$43,595</b>	<b>0.0</b>

**ADJUST FUNDING FOR COMMUNITY CORRECTIONS PLACEMENTS:** The appropriation includes a decrease of \$1,989,330 General Fund for community corrections placements to reflect fewer placements in the system as a result of the COVID-19 disaster emergency. This is a budget balancing action.

**COMMUNITY PROVIDER RATE ADJUSTMENT:** The appropriation includes a decrease of \$834,500 total funds for the one percent common policy across-the-board decrease for most community providers.

**ADJUST FUNDS FOR CIVIL ASSET FORFEITURE REFORMS GRANT:** The bill includes a reduction of \$495,703 from the Marijuana Cash Tax Fund to reflect anticipated demand for the grant.

**REDUCE ADMINISTRATIVE SERVICES SPENDING AUTHORITY:** The bill includes a reduction of \$33,301 cash funds spending authority to adjust the line item to align with actual expenditures.



**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes a reduction of \$2,292 for the out-year impact of prior year legislation.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

## COLORADO BUREAU OF INVESTIGATION

The Colorado Bureau of Investigation (CBI) provides information technology, laboratory, and investigative services to local, state, and federal law enforcement agencies upon request. The CBI also operates the State's InstaCheck criminal background check program for firearms. Major cash fund sources include the CBI Identification Unit Fund, the Instant Criminal Background Check Cash Fund, and the Marijuana Tax Cash Fund.

COLORADO BUREAU OF INVESTIGATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$42,410,830	\$19,509,524	\$17,551,919	\$4,174,989	\$1,174,398	308.2
HB 19-1090	18,772	0	0	18,772	0	0.0
HB 19-1230	4,576	0	0	4,576	0	0.0
HB 19-1242	128,188	0	128,188	0	0	0.7
HB 19-1275	443,847	0	443,847	0	0	6.6
HB 19-1327	1,716	0	0	1,716	0	0.0
HB 20-1256	(27,350)	0	(27,350)	0	0	0.0
<b>TOTAL</b>	<b>\$42,980,579</b>	<b>\$19,509,524</b>	<b>\$18,096,604</b>	<b>\$4,200,053</b>	<b>\$1,174,398</b>	<b>315.5</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$42,980,579	\$19,509,524	\$18,096,604	\$4,200,053	\$1,174,398	315.5
Annualize prior year budget actions	153,803	407,113	(294,709)	39,774	1,625	0.0
Centrally appropriated line items	57,940	90,976	(29,710)	(6,860)	3,534	0.0
Extend CBI vacancy savings	(250,000)	(250,000)	0	0	0	(4.0)
Indirect cost assessment	(171,254)	0	(154,018)	(36,853)	19,617	0.0
Annualize prior year legislation	(103,184)	60,894	(173,832)	8,139	1,615	(0.6)
Reduce motor vehicle recyclers spending authority	(70,322)	0	(70,322)	0	0	(1.0)
Technical adjustment	(27,710)	0	(27,710)	0	0	0.0
Medical marijuana database funding efficiency	(16,000)	0	0	(16,000)	0	0.0
<b>HB 20-1360</b>	<b>\$42,553,852</b>	<b>\$19,818,507</b>	<b>\$17,346,303</b>	<b>\$4,188,253</b>	<b>\$1,200,789</b>	<b>309.9</b>
SB 20-197	55,620	0	55,620	0	0	0.3
<b>TOTAL</b>	<b>\$42,609,472</b>	<b>\$19,818,507</b>	<b>\$17,401,923</b>	<b>\$4,188,253</b>	<b>\$1,200,789</b>	<b>310.2</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$371,107)</b>	<b>\$308,983</b>	<b>(\$694,681)</b>	<b>(\$11,800)</b>	<b>\$26,391</b>	<b>(5.3)</b>
Percentage Change	(0.9%)	1.6%	(3.8%)	(0.3%)	2.2%	(1.7%)

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1256 includes a decrease of \$27,350 cash funds as part of a net-zero reallocation of an appropriation for leased space from the Colorado Bureau of Investigation to the Executive Director's Office.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for out-year impacts of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$646,453	\$407,113	\$197,941	\$39,774	\$1,625	0.0
FY 19-20 Technical correction HB 19-1275	27,350	0	27,350	0	0	0.0
FY 19-20 Marijuana Cash Tax Funds for toxicology	(520,000)	0	(520,000)	0	0	0.0
<b>TOTAL</b>	<b>\$153,803</b>	<b>\$407,113</b>	<b>(\$294,709)</b>	<b>\$39,774</b>	<b>\$1,625</b>	<b>0.0</b>

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments for vehicle lease payments for the division.

**EXTEND CBI VACANCY SAVINGS:** The bill includes a total reduction of \$250,000 General Fund in two CBI line items for budget balancing purposes, including: CCIC Program Support Personal Services and Biometric Records and Identification Unit Personal Services

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the division's indirect cost assessment.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$111,121	\$60,894	\$44,009	\$4,603	\$1,615	0.0
HB 19-1230 Marijuana Hospitality Establishment	3,536	0	0	3,536	0	0.0
HB 19-1242 Board of Pharmacy	(111,626)	0	(111,626)	0	0	(0.6)
HB 19-1275 Increased Eligibility Criminal Records	(106,215)	0	(106,215)	0	0	0.0
<b>TOTAL</b>	<b>(\$103,184)</b>	<b>\$60,894</b>	<b>(\$173,832)</b>	<b>\$8,139</b>	<b>\$1,615</b>	<b>(0.6)</b>

**REDUCE MOTOR VEHICLE RECYCLERS SPENDING AUTHORITY:** The appropriation includes a reduction of \$70,322 cash funds and 1.0 FTE. The appropriation is unnecessary because the CBI does not collect revenue to support it.

**TECHNICAL ADJUSTMENT:** The appropriation includes a decrease of \$27,710 cash funds as part of a net-zero technical correction to move the appropriation for leased space in H.B. 19-1275 (Increased Eligibility for Criminal Record Sealing) to the correct line item.

**MEDICAL MARIJUANA DATABASE FUNDING EFFICIENCY:** The bill includes a reduction of \$16,000 reappropriated funds to account for unused spending authority related to the administration of a medical marijuana database.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

The Division of Homeland Security and Emergency Management consists of three offices: the Office of Emergency Management, the Office of Prevention and Security, and the Office of Preparedness. The Division is tasked with consolidating and restructuring the State's homeland security and disaster preparedness and response functions by better coordination of emergency management, homeland security, and public health entities in the state. This division is primarily federally funded. The primary cash fund source is the Disaster Emergency Fund.

DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$62,701,769	\$16,329,523	\$20,065,702	\$65,841	\$26,240,703	97.7
SB 19-179	1,150,000	0	1,150,000	0	0	0.0
HB 19-1073	979,947	0	500,000	479,947	0	0.7
<b>TOTAL</b>	<b>\$64,831,716</b>	<b>\$16,329,523</b>	<b>\$21,715,702</b>	<b>\$545,788</b>	<b>\$26,240,703</b>	<b>98.4</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$64,831,716	\$16,329,523	\$21,715,702	\$545,788	\$26,240,703	98.4
Extend HB 19-1073 appropriation	500,000	0	500,000	0	0	0.0
Annualize prior year budget actions	196,299	193,494	836	0	1,969	0.0
State recovery section	63,410	63,410	0	0	0	1.0
Technical adjustment	0	0	0	0	0	0.3
Adjust funding 2013 flood recovery	(9,175,236)	(7,342,277)	(1,832,959)	0	0	0.0
Annualize prior year legislation	(2,086,180)	42,875	(1,649,557)	(479,947)	449	(1.0)
Indirect cost assessment	(198,180)	0	(2,655)	0	(195,525)	0.0
S.B. 17-096 technical correction	(16,224)	0	(16,224)	0	0	(0.3)
Remove unused emergency management spending authority	(10,988)	0	(10,988)	0	0	0.0
<b>HB 20-1360</b>	<b>\$54,104,617</b>	<b>\$9,287,025</b>	<b>\$18,704,155</b>	<b>\$65,841</b>	<b>\$26,047,596</b>	<b>98.4</b>
<b>TOTAL</b>	<b>\$54,104,617</b>	<b>\$9,287,025</b>	<b>\$18,704,155</b>	<b>\$65,841</b>	<b>\$26,047,596</b>	<b>98.4</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$10,727,099)</b>	<b>(\$7,042,498)</b>	<b>(\$3,011,547)</b>	<b>(\$479,947)</b>	<b>(\$193,107)</b>	<b>(0.0)</b>
Percentage Change	(16.5%)	(43.1%)	(13.9%)	(87.9%)	(0.7%)	(0.0%)

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**EXTEND HB 19-1073 APPROPRIATION:** The appropriation includes \$500,000 cash funds spending authority from the Criminal Justice Information Sharing Grant Program Fund to allow local law enforcement agencies to apply for and receive grant funding.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$196,299 for the annualization of prior year salary survey.

**STATE RECOVERY SECTION:** The bill includes an increase of \$63,410 General Fund and 1.0 FTE for the State Recovery Section in the Office of Emergency Management.

**TECHNICAL ADJUSTMENT:** The appropriation includes a technical adjustment that increases FTE by 0.3 to correct to correct an error in the appropriations clause for S.B. 19-179 (Enhance School Safety Incident Response Grant Program).

**ADJUST FUNDING 2013 FLOOD RECOVERY:** The appropriation includes a reduction of \$9,175,236 total funds, including \$7,342,277 General Fund, to reflect anticipated spending needs in FY 2020-21. Of this total reduction, \$5.5 million General Fund was for budget balancing purposes.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$43,767	\$42,875	\$443	\$0	\$449	0.0
SB 19-179 Enhance School Safety	(1,150,000)	0	(1,150,000)	0	0	(0.3)
HB 19-1073 Law Enforcement Info Sharing	(979,947)	0	(500,000)	(479,947)	0	(0.7)

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>TOTAL</b>	<b>(\$2,086,180)</b>	<b>\$42,875</b>	<b>(\$1,649,557)</b>	<b>(\$479,947)</b>	<b>\$449</b>	<b>(1.0)</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the Division’s indirect cost assessment.

**SB 17-096 TECHNICAL CORRECTION:** The bill includes a reduction of \$16,224 cash funds spending authority and 0.3 FTE to reflect unused spending authority for the repeal of the Reserve Peace Officer Academy Grant Program.

**REMOVE UNUSED EMERGENCY MANAGEMENT SPENDING AUTHORITY:** The bill includes a reduction of \$10,988 cash funds spending authority to eliminate appropriations from the DHSEM Office of Emergency Management’s Preparedness Grants and Training Cash Fund.

# Details

## DEPARTMENT OF REGULATORY AGENCIES

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

DEPARTMENT OF REGULATORY AGENCIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$118,827,932</b>	<b>\$2,324,519</b>	<b>\$109,697,995</b>	<b>\$5,482,149</b>	<b>\$1,323,269</b>	<b>591.8</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Executive Director's Office and Administrative Services	54,095,105	923,759	48,593,165	4,361,868	216,313	31.5
Division of Banking	4,828,635	0	4,828,635	0	0	40.0
Civil Rights Division	2,214,823	1,169,760	0	526,830	518,233	27.2
Office of Consumer Counsel	1,014,752	0	1,014,752	0	0	7.0
Division of Financial Services	1,753,533	0	1,753,533	0	0	15.6
Division of Insurance	9,654,653	231,000	8,868,385	0	555,268	91.2
Public Utilities Commission	16,378,769	0	16,345,314	0	33,455	98.8
Division of Real Estate	4,781,126	0	4,781,126	0	0	48.9
Division of Professions and Occupations	19,746,171	0	19,152,720	593,451	0	203.8
Division of Securities	3,860,365	0	3,860,365	0	0	24.0
Division of Conservation	500,000	0	500,000	0	0	3.8
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$115,085,662	\$2,093,519	\$106,186,725	\$5,482,149	\$1,323,269	572.9
SB 19-218	560,143	0	560,143	0	0	0.4
SB 19-236	907,566	0	907,566	0	0	7.5
HB 19-1004	231,000	231,000	0	0	0	0.0
HB 19-1069	19,440	0	19,440	0	0	0.0
HB 19-1095	4,650	0	4,650	0	0	0.0
HB 19-1168	785,904	0	785,904	0	0	3.0
HB 19-1174	63,924	0	63,924	0	0	0.9
HB 19-1216	26,054	0	26,054	0	0	0.4
HB 19-1233	109,679	0	109,679	0	0	0.4
HB 19-1242	183,063	0	183,063	0	0	1.2
HB 19-1264	500,000	0	500,000	0	0	3.8
HB 19-1269	88,248	0	88,248	0	0	1.1
HB 19-1283	12,599	0	12,599	0	0	0.2
HB 19-1332	250,000	0	250,000	0	0	0.0
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$118,752,799</b>	<b>\$1,940,640</b>	<b>\$109,836,123</b>	<b>\$5,533,354</b>	<b>\$1,442,682</b>	<b>600.8</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Executive Director's Office and Administrative Services	52,501,920	790,343	47,137,128	4,328,845	245,604	31.5
Division of Banking	4,933,638	0	4,933,638	0	0	40.0
Civil Rights Division	2,347,040	1,150,297	0	611,058	585,685	27.3
Office of Consumer Counsel	1,035,075	0	1,035,075	0	0	7.0
Division of Financial Services	1,782,426	0	1,782,426	0	0	15.6
Division of Insurance	9,780,598	0	9,209,772	0	570,826	92.3
Public Utilities Commission	16,802,953	0	16,762,386	0	40,567	104.9
Division of Real Estate	4,907,102	0	4,907,102	0	0	48.9
Division of Professions and Occupations	20,219,632	0	19,626,181	593,451	0	205.5

DEPARTMENT OF REGULATORY AGENCIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Division of Securities	3,942,996	0	3,942,996	0	0	24.0
Division of Conservation	499,419	0	499,419	0	0	3.8
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360	\$119,683,304	\$1,974,831	\$110,668,540	\$5,597,251	\$1,442,682	599.8
SB 20-030	16,545	0	16,545	0	0	0.2
SB 20-118	(20,918)	0	(20,918)	0	0	(0.5)
HB 20-1061	13,347	0	13,347	0	0	0.2
HB 20-1158	3,337	0	3,337	0	0	0.1
HB 20-1209	15,554	0	15,554	0	0	0.2
HB 20-1286	(11,252)	0	(11,252)	0	0	(0.2)
HB 20-1293	83,247	0	83,247	0	0	0.9
HB 20-1332	9,641	9,641	0	0	0	0.1
HB 20-1379	(1,040,006)	(43,832)	(932,277)	(63,897)	0	0.0
<b>INCREASE/(DECREASE)</b>	<b>(\$75,133)</b>	<b>(\$383,879)</b>	<b>\$138,128</b>	<b>\$51,205</b>	<b>\$119,413</b>	<b>9.0</b>
Percentage Change	(0.1%)	(16.5%)	0.1%	0.9%	9.0%	1.5%

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of Regulatory Agencies are annotated with the "(I)". For additional information, see *Appendix K*.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$21,067,788	\$0	\$19,625,106	\$0	\$1,442,682

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES

The Executive Director's Office provides administrative and technical support for the Department's divisions and programs, including functions associated with accounting, purchasing, budgeting, communications, legislative services, and human resources. It also includes the Colorado Office of Policy, Research, and Regulatory Reform and administrative support for the Broadband Deployment Board.

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$53,357,570	\$923,759	\$47,855,630	\$4,361,868	\$216,313	31.5
SB 19-218	535,456	0	535,456	0	0	0.0
SB 19-236	186,534	0	186,534	0	0	0.0
HB 19-1242	15,545	0	15,545	0	0	0.0
<b>TOTAL</b>	<b>\$54,095,105</b>	<b>\$923,759</b>	<b>\$48,593,165</b>	<b>\$4,361,868</b>	<b>\$216,313</b>	<b>31.5</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$54,095,105	\$923,759	\$48,593,165	\$4,361,868	\$216,313	31.5
Annualize prior year legislation	365,304	0	351,410	13,894	0	0.0
Centrally appropriated line items	335,942	(41,651)	318,108	16,980	42,505	0.0
R-02 Intrastate pipeline safety enhancements	4,812	0	4,812	0	0	0.0
Annualize prior year budget actions	(1,259,237)	(47,933)	(1,198,090)	0	(13,214)	0.0
<b>HB 20-1360</b>	<b>\$53,541,926</b>	<b>\$834,175</b>	<b>\$48,069,405</b>	<b>\$4,392,742</b>	<b>\$245,604</b>	<b>31.5</b>

EXECUTIVE DIRECTOR'S OFFICE AND ADMINISTRATIVE SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 20-1379	(1,040,006)	(43,832)	(932,277)	(63,897)	0	0.0
<b>TOTAL</b>	<b>\$52,501,920</b>	<b>\$790,343</b>	<b>\$47,137,128</b>	<b>\$4,328,845</b>	<b>\$245,604</b>	<b>31.5</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$1,593,185)</b>	<b>(\$133,416)</b>	<b>(\$1,456,037)</b>	<b>(\$33,023)</b>	<b>\$29,291</b>	<b>0.0</b>
Percentage Change	(2.9%)	(14.4%)	(3.0%)	(0.8%)	13.5%	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation, as detailed in the following table.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB-218 Sunset Medical Marijuana	\$382,499	\$0	\$382,499	\$0	\$0	0.0
HB-1242 Board of Pharmacy Regulate	62,178	0	62,178	0	0	0.0
SB18-200 PERA	13,894	0	0	13,894	0	0.0
SB-236 PUC Sunset	(93,267)	0	(93,267)	0	0	0.0
<b>TOTAL</b>	<b>\$365,304</b>	<b>\$0</b>	<b>\$351,410</b>	<b>\$13,894</b>	<b>\$0</b>	<b>0.0</b>

**INTRASTATE PIPELINE SAFETY ENHANCEMENTS:** This appropriation includes an increase of \$4,812 cash funds from the Fixed Utilities Cash Fund for the Executive Directors Office (EDO) in FY 2020-21. The appropriation to the EDO is a portion of the total appropriation to the Public Utilities Commission and is for administrative and budgetary support for the program expansion.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items, as detailed in the following table.

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Health, life, and dental	\$435,087	(\$31,498)	\$445,400	\$21,185	\$0	0.0
Leased space	139,310	3,913	79,938	53,403	2,056	0.0
ALJ	134,482	6,076	128,406	0	0	0.0
CORE	83,126	3,221	74,609	4,280	1,016	0.0
OIT Colorado Digital Services	42,112	0	42,112	0	0	0.0
AED adjustment	11,506	(7,224)	30,409	(12,980)	1,301	0.0
SAED	11,506	(7,224)	30,409	(12,980)	1,301	0.0
Short-term disability adjustment	655	(235)	1,265	(421)	46	0.0
Fund Split Adjustments	0	2,000	(10,750)	8,750	0	0.0
Legal services	(335,258)	21,174	(369,724)	(34,395)	47,687	0.0
HLD decrease in lieu of personal services base reduction	(74,526)	(74,526)	0	0	0	0.0
PERA Direct Distribution	(28,884)	5,918	(15,497)	(8,852)	(10,453)	0.0
NP-01 Annual Fleet Vehicle Request	(27,484)	0	(27,484)	0	0	0.0
Payment to risk management / property funds	(22,978)	(633)	(21,422)	(639)	(284)	0.0
Payments to OIT	(17,438)	37,754	(55,192)	0	0	0.0
Workers' compensation	(11,177)	(367)	(10,274)	(371)	(165)	0.0
NP-03 OIT Budget Request Package	(4,097)	0	(4,097)	0	0	0.0
<b>TOTAL</b>	<b>\$335,942</b>	<b>(\$41,651)</b>	<b>\$318,108</b>	<b>\$16,980</b>	<b>\$42,505</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes a decrease of \$1,259,237 total funds, including \$47,933 General Fund, as part of the annualization of the FY 2019-20 salary survey.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## DIVISION OF BANKING

The Division of Banking regulates state-chartered commercial banks, trust companies, money transmitters, and national banks and interstate banks that maintain public deposit accounts in Colorado. The Division is slated for repeal on September 1, 2024.

DIVISION OF BANKING						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$4,828,635	\$0	\$4,828,635	\$0	\$0	40.0
<b>TOTAL</b>	<b>\$4,828,635</b>	<b>\$0</b>	<b>\$4,828,635</b>	<b>\$0</b>	<b>\$0</b>	<b>40.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$4,828,635	\$0	\$4,828,635	\$0	\$0	40.0
Annualize prior year budget actions	102,112	0	102,112	0	0	0.0
Annualize prior year legislation	19,029	0	19,029	0	0	0.0
Indirect cost assessment	(16,138)	0	(16,138)	0	0	0.0
<b>HB 20-1360</b>	<b>\$4,933,638</b>	<b>\$0</b>	<b>\$4,933,638</b>	<b>\$0</b>	<b>\$0</b>	<b>40.0</b>
<b>TOTAL</b>	<b>\$4,933,638</b>	<b>\$0</b>	<b>\$4,933,638</b>	<b>\$0</b>	<b>\$0</b>	<b>40.0</b>
<b>INCREASE/(DECREASE)</b>	\$105,003	\$0	\$105,003	\$0	\$0	0.0
Percentage Change	2.2%	n/a	2.2%	n/a	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$102,112 cash funds as part of the annualization of the FY 2019-20 salary survey.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes net increase of \$19,029 due to adjustments made to PERA under S.B.18 -200 Eliminate Unfunded Liability.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the Division’s indirect cost assessment.

## CIVIL RIGHTS DIVISION

The Division of Civil Rights enforces Colorado’s anti-discrimination laws in the areas of employment, housing, and public accommodations. The Division is slated for repeal on September 1, 2027.

CIVIL RIGHTS DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$2,214,823	\$1,169,760	\$0	\$526,830	\$518,233	27.2
<b>TOTAL</b>	<b>\$2,214,823</b>	<b>\$1,169,760</b>	<b>\$0</b>	<b>\$526,830</b>	<b>\$518,233</b>	<b>27.2</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$2,214,823	\$1,169,760	\$0	\$526,830	\$518,233	27.2
Indirect cost assessment	58,429	0	0	0	58,429	0.0
Annualize prior year budget actions	54,616	47,933	0	0	6,683	0.0



CIVIL RIGHTS DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize prior year legislation	9,531	7,191	0	0	2,340	0.0
Centrally appropriated line items	0	(84,228)	0	84,228	0	0.0
<b>HB 20-1360</b>	<b>\$2,337,399</b>	<b>\$1,140,656</b>	<b>\$0</b>	<b>\$611,058</b>	<b>\$585,685</b>	<b>27.2</b>
HB 20-1332	9,641	9,641	0	0	0	0.1
<b>TOTAL</b>	<b>\$2,347,040</b>	<b>\$1,150,297</b>	<b>\$0</b>	<b>\$611,058</b>	<b>\$585,685</b>	<b>27.3</b>
<b>INCREASE/(DECREASE)</b>	\$132,217	(\$19,463)	\$0	\$84,228	\$67,452	0.1
Percentage Change	6.0%	(1.7%)	n/a	16.0%	13.0%	0.4%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the Division’s indirect cost assessment.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$54,616 total funds as part of the annualization of the FY 2019-20 salary survey, and made minor changes to align appropriations with available revenue sources.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes net increase of \$9,531 total funds due to adjustments made to PERA under S.B.18-200 Eliminate Unfunded Liability.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation made minor changes to align appropriations with available revenue sources.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## OFFICE OF CONSUMER COUNSEL

The Office of Consumer Counsel represents the public interest and the specific interests of residential, small business, and agricultural consumers in rate and rulemaking cases before the Public Utilities Commission, federal agencies, and the courts. The Division is slated for repeal on September 1, 2021.

OFFICE OF CONSUMER COUNSEL						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$1,014,752	\$0	\$1,014,752	\$0	\$0	7.0
<b>TOTAL</b>	<b>\$1,014,752</b>	<b>\$0</b>	<b>\$1,014,752</b>	<b>\$0</b>	<b>\$0</b>	<b>7.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$1,014,752	\$0	\$1,014,752	\$0	\$0	7.0
Annualize prior year budget actions	22,954	0	22,954	0	0	0.0
Annualize prior year legislation	193	0	193	0	0	0.0
Indirect cost assessment	(2,824)	0	(2,824)	0	0	0.0
<b>HB 20-1360</b>	<b>\$1,035,075</b>	<b>\$0</b>	<b>\$1,035,075</b>	<b>\$0</b>	<b>\$0</b>	<b>7.0</b>
<b>TOTAL</b>	<b>\$1,035,075</b>	<b>\$0</b>	<b>\$1,035,075</b>	<b>\$0</b>	<b>\$0</b>	<b>7.0</b>
<b>INCREASE/(DECREASE)</b>	\$20,323	\$0	\$20,323	\$0	\$0	0.0
Percentage Change	2.0%	n/a	2.0%	n/a	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$22,954 cash funds as part of the annualization of the FY 2019-20 salary survey.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an increase of \$193 cash funds due to adjustments made to PERA under S.B.18-200 Eliminate Unfunded Liability.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the Division's indirect cost assessment.

### DIVISION OF FINANCIAL SERVICES

The Division of Financial Services examines and supervises state-chartered credit unions and state-chartered savings and loan associations, enforces the Savings and Loan Public Deposit Protection Act, and regulates certain financial activities of life care institutions. The Division is slated for repeal on September 1, 2024.

DIVISION OF FINANCIAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$1,753,533	\$0	\$1,753,533	\$0	\$0	15.6
<b>TOTAL</b>	<b>\$1,753,533</b>	<b>\$0</b>	<b>\$1,753,533</b>	<b>\$0</b>	<b>\$0</b>	<b>15.6</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$1,753,533	\$0	\$1,753,533	\$0	\$0	15.6
Annualize prior year budget actions	29,772	0	29,772	0	0	0.0
Annualize prior year legislation	5,415	0	5,415	0	0	0.0
Indirect cost assessment	(6,294)	0	(6,294)	0	0	0.0
<b>HB 20-1360</b>	<b>\$1,782,426</b>	<b>\$0</b>	<b>\$1,782,426</b>	<b>\$0</b>	<b>\$0</b>	<b>15.6</b>
<b>TOTAL</b>	<b>\$1,782,426</b>	<b>\$0</b>	<b>\$1,782,426</b>	<b>\$0</b>	<b>\$0</b>	<b>15.6</b>
<b>INCREASE/(DECREASE)</b>	\$28,893	\$0	\$28,893	\$0	\$0	0.0
Percentage Change	1.6%	n/a	1.6%	n/a	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$29,772 cash funds as part of the annualization of the FY 2019-20 salary survey.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes a net increase of \$5,415 cash funds due to adjustments made to PERA under S.B.18-200 Eliminate Unfunded Liability.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the Division's indirect cost assessment.

### DIVISION OF INSURANCE

The Division of Insurance regulates companies and agents providing health insurance, property and liability insurance (homeowners and automobile), life insurance, and title insurance. The Division is slated for repeal on September 1, 2030.

DIVISION OF INSURANCE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$8,337,245	\$0	\$7,781,977	\$0	\$555,268	85.2
HB 19-1004	231,000	231,000	0	0	0	0.0
HB 19-1168	785,904	0	785,904	0	0	3.0
HB 19-1174	63,924	0	63,924	0	0	0.9
HB 19-1216	26,054	0	26,054	0	0	0.4
HB 19-1233	109,679	0	109,679	0	0	0.4
HB 19-1269	88,248	0	88,248	0	0	1.1
HB 19-1283	12,599	0	12,599	0	0	0.2
<b>TOTAL</b>	<b>\$9,654,653</b>	<b>\$231,000</b>	<b>\$8,868,385</b>	<b>\$0</b>	<b>\$555,268</b>	<b>91.2</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$9,654,653	\$231,000	\$8,868,385	\$0	\$555,268	91.2
Annualize prior year budget actions	182,354	0	175,823	0	6,531	0.0
Indirect cost assessment	519	0	(8,508)	0	9,027	0.0
Annualize prior year legislation	(73,612)	(231,000)	157,388	0	0	0.8
<b>HB 20-1360</b>	<b>\$9,763,914</b>	<b>\$0</b>	<b>\$9,193,088</b>	<b>\$0</b>	<b>\$570,826</b>	<b>92.0</b>
HB 20-1061	13,347	0	13,347	0	0	0.2
HB 20-1158	3,337	0	3,337	0	0	0.1
<b>TOTAL</b>	<b>\$9,780,598</b>	<b>\$0</b>	<b>\$9,209,772</b>	<b>\$0</b>	<b>\$570,826</b>	<b>92.3</b>
<b>INCREASE/(DECREASE)</b>	<b>\$125,945</b>	<b>(\$231,000)</b>	<b>\$341,387</b>	<b>\$0</b>	<b>\$15,558</b>	<b>1.1</b>
Percentage Change	1.3%	(100.0%)	3.8%	n/a	2.8%	1.2%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$182,354 total funds as part of the annualization of the prior year’s salary survey.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the Division’s indirect cost assessment.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation, as detailed in the following table.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB-1168 State Innovation Waiver Rein	\$229,218	\$0	\$229,218	\$0	\$0	1.0
SB18-200 PERA	30,851	0	30,851	0	0	0.0
HB-1283 Policy Information Disclosure	12,600	0	12,600	0	0	0.2
HB-1004 Affordable Health Coverage	(231,000)	(231,000)	0	0	0	0.0
HB-1233 Primary Care Payment Reform	(60,170)	0	(60,170)	0	0	(0.1)
HB-1174 Out of Network Charges	(29,211)	0	(29,211)	0	0	0.0
HB-1216 Reduce Insulin Prices	(13,027)	0	(13,027)	0	0	(0.2)
HB-1269 Mental Health Parity	(12,873)	0	(12,873)	0	0	(0.1)
<b>TOTAL</b>	<b>(\$73,612)</b>	<b>(\$231,000)</b>	<b>\$157,388</b>	<b>\$0</b>	<b>\$0</b>	<b>0.8</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## PUBLIC UTILITIES COMMISSION

The Public Utilities Commission regulates investor-owned electric, natural gas, telecommunications, private water utilities, and motor vehicle carriers for hire. The Division is slated for repeal on September 1, 2026.

PUBLIC UTILITIES COMMISSION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$15,388,297	\$0	\$15,354,842	\$0	\$33,455	91.3
SB 19-236	721,032	0	721,032	0	0	7.5
HB 19-1069	19,440	0	19,440	0	0	0.0
HB 19-1332	250,000	0	250,000	0	0	0.0
<b>TOTAL</b>	<b>\$16,378,769</b>	<b>\$0</b>	<b>\$16,345,314</b>	<b>\$0</b>	<b>\$33,455</b>	<b>98.8</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$16,378,769	\$0	\$16,345,314	\$0	\$33,455	98.8
R-02 Intrastate pipeline safety enhancements	431,533	0	431,533	0	0	4.0
Annualize prior year budget actions	259,639	0	259,639	0	0	0.0
Talking book library	200,000	0	200,000	0	0	0.0
Indirect cost assessment	86,624	0	79,512	0	7,112	0.0
R-01 Adjust unused telecommunications spending authority	(463,192)	0	(463,192)	0	0	0.0
Annualize prior year legislation	(169,294)	0	(169,294)	0	0	1.5
<b>HB 20-1360</b>	<b>\$16,724,079</b>	<b>\$0</b>	<b>\$16,683,512</b>	<b>\$0</b>	<b>\$40,567</b>	<b>104.3</b>
SB 20-030	16,545	0	16,545	0	0	0.2
SB 20-118	(20,918)	0	(20,918)	0	0	(0.5)
HB 20-1293	83,247	0	83,247	0	0	0.9
<b>TOTAL</b>	<b>\$16,802,953</b>	<b>\$0</b>	<b>\$16,762,386</b>	<b>\$0</b>	<b>\$40,567</b>	<b>104.9</b>
<b>INCREASE/(DECREASE)</b>	<b>\$424,184</b>	<b>\$0</b>	<b>\$417,072</b>	<b>\$0</b>	<b>\$7,112</b>	<b>6.1</b>
Percentage Change	2.6%	0.0%	2.6%	n/a	21.3%	6.2%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**INTRASTATE PIPELINE SAFETY ENHANCEMENTS:** The appropriation includes increase of \$431,533 cash funds from the Fixed Utilities Cash Fund for FY 2020-21, as well as 4.0 FTE. The funds and FTE will go to the Public Utilities Commission Pipeline Safety Program to hire four new pipeline engineers to provide oversight, training and inspections of pipelines and operators, as well as four new pipeline inspection vehicles.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$259,639 cash funds as part of the annualization of the FY 2019-20 salary survey.

**TALKING BOOK LIBRARY:** The appropriation includes \$200,000 cash funds from the Disabled Users Telephone Fund for the Talking Book Library program. A similar one-time \$250,000 was made in FY 2019-20.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the Division's indirect cost assessment.

**ADJUST UNUSED TELECOMMUNICATIONS SPENDING AUTHORITY:** The appropriation includes a reduction of \$463,192 in ongoing cash funds spending authority for the Disabled Telephone Users Fund Payments line item to the Public Utilities Commission. This decrease brings spending authority levels in line with current projected use of Relay Colorado. Relay Colorado is a free telephone service enacted in statute (Section 40-17-101, C.R.S.) that provides text-telephone services to those who are deaf, hard of hearing, deaf-blind, or speech disabled. Usage of this service has fallen over the last five years, primarily because of advances in technology.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation, as detailed in the following table.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB-236 PUC Sunset	\$58,535	\$0	\$58,535	\$0	\$0	1.5
SB18-200 PERA	41,611	0	41,611	0	0	0.0
HB-1332 Talking Book Library	(250,000)	0	(250,000)	0	0	0.0
HB-1069 Sign Language Interpreters	(19,440)	0	(19,440)	0	0	0.0
<b>TOTAL</b>	<b>(\$169,294)</b>	<b>\$0</b>	<b>(\$169,294)</b>	<b>\$0</b>	<b>\$0</b>	<b>1.5</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## DIVISION OF REAL ESTATE

The Division of Real Estate licenses real estate agents, appraisers, and mortgage loan originators and registers mortgage companies and homeowners associations. The Division is slated for repeal on September 1, 2026.

DIVISION OF REAL ESTATE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$4,781,126	\$0	\$4,781,126	\$0	\$0	48.9
<b>TOTAL</b>	<b>\$4,781,126</b>	<b>\$0</b>	<b>\$4,781,126</b>	<b>\$0</b>	<b>\$0</b>	<b>48.9</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$4,781,126	\$0	\$4,781,126	\$0	\$0	48.9
Annualize prior year budget actions	114,180	0	114,180	0	0	0.0
Annualize prior year legislation	20,042	0	20,042	0	0	0.0
Centrally appropriated line items	11,483	0	11,483	0	0	0.0
Indirect cost assessment	(19,729)	0	(19,729)	0	0	0.0
<b>HB 20-1360</b>	<b>\$4,907,102</b>	<b>\$0</b>	<b>\$4,907,102</b>	<b>\$0</b>	<b>\$0</b>	<b>48.9</b>
<b>TOTAL</b>	<b>\$4,907,102</b>	<b>\$0</b>	<b>\$4,907,102</b>	<b>\$0</b>	<b>\$0</b>	<b>48.9</b>
<b>INCREASE/(DECREASE)</b>						
Percentage Change	2.6%	n/a	2.6%	n/a	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$114,180 cash funds as part of the annualization of the FY 2019-20 salary survey and \$11,483 for legal services.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes net increase of \$20,042 due to adjustments made to PERA under S.B.18-200 Eliminate Unfunded Liability.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes \$11,483 for legal services.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the Division's indirect cost assessment.

## DIVISION OF PROFESSIONS AND OCCUPATIONS

The Division of Professions and Occupations regulates licensees in over 30 professions and occupations to ensure a basic level of competence to protect the public welfare. The professions and occupations regulated by this Division vary in repeal dates.

DIVISION OF PROFESSIONS AND OCCUPATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$19,549,316	\$0	\$18,955,865	\$593,451	\$0	202.2
SB 19-218	24,687	0	24,687	0	0	0.4
HB 19-1095	4,650	0	4,650	0	0	0.0
HB 19-1242	167,518	0	167,518	0	0	1.2
<b>TOTAL</b>	<b>\$19,746,171</b>	<b>\$0</b>	<b>\$19,152,720</b>	<b>\$593,451</b>	<b>\$0</b>	<b>203.8</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$19,746,171	\$0	\$19,152,720	\$593,451	\$0	203.8
Annualize prior year budget actions	424,849	0	424,849	0	0	0.0
Annualize prior year legislation	96,354	0	96,354	0	0	1.7
Indirect cost assessment	(52,044)	0	(52,044)	0	0	0.0
<b>HB 20-1360</b>	<b>\$20,215,330</b>	<b>\$0</b>	<b>\$19,621,879</b>	<b>\$593,451</b>	<b>\$0</b>	<b>205.5</b>
HB 20-1209	15,554	0	15,554	0	0	0.2
HB 20-1286	(11,252)	0	(11,252)	0	0	(0.2)
<b>TOTAL</b>	<b>\$20,219,632</b>	<b>\$0</b>	<b>\$19,626,181</b>	<b>\$593,451</b>	<b>\$0</b>	<b>205.5</b>
<b>INCREASE/(DECREASE)</b>	<b>\$473,461</b>	<b>\$0</b>	<b>\$473,461</b>	<b>\$0</b>	<b>\$0</b>	<b>1.7</b>
Percentage Change	2.4%	n/a	2.5%	n/a	n/a	0.8%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$424,849 cash funds as part of the annualization of the FY 2019-20 salary survey.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation, as detailed in the following table.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB18-200 PERA	\$73,937	\$0	\$73,937	\$0	\$0	0.0
HB-1242 Board of Pharmacy Regulate	22,423	0	22,423	0	0	0.7
SB-218 Sunset Medical Marijuana	2,244	0	2,244	0	0	1.0
HB-1095 Physician Assistant Supervision	(2,250)	0	(2,250)			0.0
<b>TOTAL</b>	<b>\$96,354</b>	<b>\$0</b>	<b>\$96,354</b>	<b>\$0</b>	<b>\$0</b>	<b>1.7</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the Division’s indirect cost assessment.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## DIVISION OF SECURITIES

The Division of Securities monitors the conduct of broker-dealers and sales representatives, investigates citizen complaints, and investigates indicators of investment fraud. The Division is slated for repeal on September 1, 2026.

DIVISION OF SECURITIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$3,860,365	\$0	\$3,860,365	\$0	\$0	24.0
<b>TOTAL</b>	<b>\$3,860,365</b>	<b>\$0</b>	<b>\$3,860,365</b>	<b>\$0</b>	<b>\$0</b>	<b>24.0</b>

DIVISION OF SECURITIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$3,860,365	\$0	\$3,860,365	\$0	\$0	24.0
Annualize prior year budget actions	68,761	0	68,761	0	0	0.0
Centrally appropriated line items	11,984	0	11,984	0	0	0.0
Annualize prior year legislation	11,569	0	11,569	0	0	0.0
Indirect cost assessment	(9,683)	0	(9,683)	0	0	0.0
<b>HB 20-1360</b>	<b>\$3,942,996</b>	<b>\$0</b>	<b>\$3,942,996</b>	<b>\$0</b>	<b>\$0</b>	<b>24.0</b>
<b>TOTAL</b>	<b>\$3,942,996</b>	<b>\$0</b>	<b>\$3,942,996</b>	<b>\$0</b>	<b>\$0</b>	<b>24.0</b>
<b>INCREASE/(DECREASE)</b>	\$82,631	\$0	\$82,631	\$0	\$0	0.0
Percentage Change	2.1%	n/a	2.1%	n/a	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$68,761 cash funds as part of the annualization of the FY 2019-20 salary survey.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes \$11,984 for legal services.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes net increase of \$11,569 cash funds due to adjustments made to PERA under S.B.18-200 Eliminate Unfunded Liability.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the Division’s indirect cost assessment.

## DIVISION OF CONSERVATION

The Division of Conservation, in conjunction with the Conservation Easement Oversight Commission, certifies conservation easement holders and conservation easement tax credit certificates. The Division is slated for repeal on July 1, 2026.

DIVISION OF CONSERVATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$0	\$0	\$0	\$0	\$0	0.0
HB 19-1264	500,000	0	500,000	0	0	3.8
<b>TOTAL</b>	<b>\$500,000</b>	<b>\$0</b>	<b>\$500,000</b>	<b>\$0</b>	<b>\$0</b>	<b>3.8</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$500,000	\$0	\$500,000	\$0	\$0	3.8
Annualize prior year legislation	484	0	484	0	0	0.0
Indirect cost assessment	(1,065)	0	(1,065)	0	0	0.0
<b>HB 20-1360</b>	<b>\$499,419</b>	<b>\$0</b>	<b>\$499,419</b>	<b>\$0</b>	<b>\$0</b>	<b>3.8</b>
<b>TOTAL</b>	<b>\$499,419</b>	<b>\$0</b>	<b>\$499,419</b>	<b>\$0</b>	<b>\$0</b>	<b>3.8</b>
<b>INCREASE/(DECREASE)</b>	(\$581)	\$0	(\$581)	\$0	\$0	0.0
Percentage Change	(0.1%)	n/a	(0.1%)	n/a	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes net increase of \$484 cash funds due to adjustments made to PERA under S.B.18-200 Eliminate Unfunded Liability.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in the Division's indirect cost assessment.



# Details

## DEPARTMENT OF REVENUE

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

DEPARTMENT OF REVENUE						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$404,168,558</b>	<b>\$124,688,584</b>	<b>\$272,293,824</b>	<b>\$6,149,821</b>	<b>\$1,036,329</b>	<b>1,564.9</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Executive Director's Office	80,162,551	37,406,031	37,228,588	5,315,991	211,941	168.5
Information Technology Division	4,842,255	1,209,976	3,632,279	0	0	0.0
Taxation Business Group	84,875,716	80,051,886	3,682,074	317,368	824,388	420.5
Division of Motor Vehicles	65,737,386	4,853,648	60,701,843	181,895	0	557.2
Specialized Business Group	64,671,402	1,167,043	63,169,792	334,567	0	316.6
State Lottery Division	103,879,248	0	103,879,248	0	0	102.1
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$393,996,502	\$121,117,814	\$265,692,538	\$6,149,821	\$1,036,329	1,503.6
SB 19-006	817,000	817,000	0	0	0	0.0
SB 19-035	6,750	0	6,750	0	0	0.0
SB 19-054	45,000	0	45,000	0	0	0.0
SB 19-139	1,737,800	0	1,737,800	0	0	21.6
SB 19-142	2,000	2,000	0	0	0	0.0
SB 19-167	56,364	0	56,364	0	0	0.0
SB 19-175	1,575	0	1,575	0	0	0.0
SB 19-205	14,771	0	14,771	0	0	0.0
SB 19-224	396,604	0	396,604	0	0	1.8
SB 19-235	18,000	18,000	0	0	0	0.0
SB 19-248	30,000	30,000	0	0	0	0.0
SB 19-249	14,000	0	14,000	0	0	0.0
SB 19-256	1,187,502	0	1,187,502	0	0	3.1
HB 19-1023	6,750	0	6,750	0	0	0.0
HB 19-1039	58,500	0	58,500	0	0	0.0
HB 19-1085	678,347	678,347	0	0	0	0.0
HB 19-1090	2,728,795	0	2,728,795	0	0	15.5
HB 19-1138	7,200	0	7,200	0	0	0.0
HB 19-1230	399,479	0	399,479	0	0	3.2
HB 19-1234	390,152	0	390,152	0	0	3.6
HB 19-1245	286,408	286,408	0	0	0	0.4
HB 19-1265	3,375	0	3,375	0	0	0.0
HB 19-1327	1,739,015	1,739,015	0	0	0	11.6
HB 20-1001	45,414	0	45,414	0	0	0.5
HB 20-1257	(498,745)	0	(498,745)	0	0	0.0
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$406,485,547</b>	<b>\$117,400,299</b>	<b>\$281,140,152</b>	<b>\$6,908,583</b>	<b>\$1,036,513</b>	<b>1,592.6</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Executive Director's Office	84,016,130	35,812,989	41,948,001	6,070,759	184,381	172.3
Information Technology Division	4,853,386	1,209,976	3,643,410	0	0	0.0
Taxation Business Group	80,248,899	75,927,159	3,152,240	317,368	852,132	408.6
Division of Motor Vehicles	64,641,558	4,255,177	60,200,492	185,889	0	559.4
Specialized Business Group	68,663,320	194,998	68,133,755	334,567	0	350.2

DEPARTMENT OF REVENUE						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
State Lottery Division	104,062,254	0	104,062,254	0	0	102.1
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360	\$405,987,406	\$118,141,241	\$279,898,954	\$6,910,698	\$1,036,513	1,573.7
SB 20-035	112,500	0	112,500	0	0	0.0
SB 20-056	3,375	0	3,375	0	0	0.0
SB 20-218	39,769	39,769	0	0	0	0.0
HB 20-1001	2,391,262	0	2,391,262	0	0	18.9
HB 20-1153	26,479	0	26,479	0	0	0.0
HB 20-1293	18,930	0	18,930	0	0	0.0
HB 20-1379	(2,143,176)	(829,713)	(1,311,348)	(2,115)	0	0.0
HB 20-1420	49,002	49,002	0	0	0	0.0
<b>INCREASE/(DECREASE)</b>	<b>\$2,316,989</b>	<b>(\$7,288,285)</b>	<b>\$8,846,328</b>	<b>\$758,762</b>	<b>\$184</b>	<b>27.7</b>
Percentage Change	0.6%	(5.8%)	3.2%	12.3%	0.0%	1.8%

<sup>1</sup> Includes \$37,272,466 in FY 2019-20 and \$33,800,122 in FY 2020-21 that is not subject to the statutory restriction on state General Fund appropriations imposed by Section 24-75-201.1, C.R.S.

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of Revenue are annotated with the "(I)". For additional information, see Appendix K.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$74,234,546	\$33,800,122	\$39,397,911	\$0	\$1,036,513

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### EXECUTIVE DIRECTOR'S OFFICE

The Executive Director's Office includes a citizens' advocate, a public information officer, and the following units: Central Budget Office, Accounting and Financial Services, Internal Audit, Office of Human Resources, and Office of Research and Analysis. The Executive Director's Office section of the Long Bill includes centrally appropriated direct and indirect costs. Cash funds sources include various other division cash funds. The sources of reappropriated funds are primarily from indirect costs.

EXECUTIVE DIRECTOR'S OFFICE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$78,373,034	\$36,240,265	\$36,604,837	\$5,315,991	\$211,941	162.9
SB 19-006	817,000	817,000	0	0	0	0.0
SB 19-139	310,340	0	310,340	0	0	0.0
SB 19-224	103,630	0	103,630	0	0	0.0
SB 19-256	97,050	0	97,050	0	0	1.4
HB 19-1090	267,244	0	267,244	0	0	0.0
HB 19-1230	76,813	0	76,813	0	0	0.0
HB 19-1234	40,702	0	40,702	0	0	0.0
HB 19-1327	177,038	177,038	0	0	0	0.0
HB 20-1257	(100,300)	171,728	(272,028)	0	0	4.2
<b>TOTAL</b>	<b>\$80,162,551</b>	<b>\$37,406,031</b>	<b>\$37,228,588</b>	<b>\$5,315,991</b>	<b>\$211,941</b>	<b>168.5</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$80,162,551	\$37,406,031	\$37,228,588	\$5,315,991	\$211,941	168.5

EXECUTIVE DIRECTOR'S OFFICE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Centrally appropriated line items	8,780,442	325,793	8,487,874	(29,151)	(4,074)	0.0
Technical adjustments	1,745,979	0	437,049	1,308,930	0	5.9
Department budget realignments	296,122	399,272	(103,150)	0	0	2.0
Indirect cost assessment	14,484	517,924	14,484	(517,924)	0	0.0
Annualize prior year budget actions	(4,560,307)	(885,401)	(3,646,448)	(4,972)	(23,486)	0.0
Annualize prior year legislation	(956,966)	(1,120,917)	163,951	0	0	(4.6)
Budget efficiencies	(50,000)	0	(50,000)	0	0	(1.0)
<b>HB 20-1360</b>	<b>\$85,432,305</b>	<b>\$36,642,702</b>	<b>\$42,532,348</b>	<b>\$6,072,874</b>	<b>\$184,381</b>	<b>170.8</b>
HB 20-1001	700,522	0	700,522	0	0	1.5
HB 20-1153	26,479	0	26,479	0	0	0.0
HB 20-1379	(2,143,176)	(829,713)	(1,311,348)	(2,115)	0	0.0
<b>TOTAL</b>	<b>\$84,016,130</b>	<b>\$35,812,989</b>	<b>\$41,948,001</b>	<b>\$6,070,759</b>	<b>\$184,381</b>	<b>172.3</b>
<b>INCREASE/(DECREASE)</b>	<b>\$3,853,579</b>	<b>(\$1,593,042)</b>	<b>\$4,719,413</b>	<b>\$754,768</b>	<b>(\$27,560)</b>	<b>3.8</b>
Percentage Change	4.8%	(4.3%)	12.7%	14.2%	(13.0%)	2.3%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

Senate Bill 20-1257 (Supplemental Bill) modifies the FY 2019-20 appropriation to:

- Add \$140,769 from various cash funds for leased space for positions added through bills during the 2019 legislative session;
- Make a series of net neutral technical adjustments to relocate appropriations from H.B. 19-1090 (Publicly Licensed Marijuana Companies), H.B. 19-1230 (Marijuana Hospitality Establishments), H.B. 19-1234 (Regulated Marijuana Delivery), H.B. 19-1327 (Authorize and Tax Sports Betting) to other line items within the Department, and S.B. 19-248 (State Tax System Working Group); and
- Make a reduction of \$589,266 cash funds from the Licensing Services Cash Fund for the Parker Driver's License Office (DLO) expansion project.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes the following adjustments to centrally appropriated line items:

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Payments to OIT	\$6,273,378	\$2,210,235	\$4,063,143	\$0	\$0	0.0
Health, life, and dental	3,470,835	622,449	2,857,081	(21,357)	12,662	0.0
CORE	560,317	213,549	346,768	0	0	0.0
AED	407,968	113,430	296,500	(2,926)	964	0.0
SAED	407,968	113,430	296,500	(2,926)	964	0.0
Leased space	234,637	49,374	185,263	0	0	0.0
Capitol Complex leased space	160,549	(634,022)	794,571	0	0	0.0
Short-term disability	14,136	3,853	10,343	(98)	38	0.0
Shift differential	9,305	0	9,305	0	0	0.0
Health, life, and dental adjustment in lieu of personal services base reduction for budget balancing	(2,032,254)	(2,032,254)	0	0	0	0.0
Legal services adjustment	(356,450)	(195,085)	(161,365)	0	0	0.0
Workers' compensation	(247,057)	(100,415)	(146,642)	0	0	0.0
PERA Direct Distribution	(75,510)	(19,998)	(34,966)	(1,844)	(18,702)	0.0
Payment to risk management / property funds	(37,341)	(16,451)	(20,890)	0	0	0.0
DPA Annual fleet vehicle request	(9,345)	(2,302)	(7,043)	0	0	0.0
ALJ	(694)	0	(694)	0	0	0.0
<b>TOTAL</b>	<b>\$8,780,442</b>	<b>\$325,793</b>	<b>\$8,487,874</b>	<b>(\$29,151)</b>	<b>(\$4,074)</b>	<b>0.0</b>

**TECHNICAL ADJUSTMENTS:** The appropriation includes the following technical adjustments:

TECHNICAL ADJUSTMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Reappropriated funds true-up	\$1,308,930	\$0	\$0	\$1,308,930	\$0	0.0
Net-neutral technical adjustments for 2019 legislation	437,049	0	437,049	0	0	5.9
<b>TOTAL</b>	<b>\$1,745,979</b>	<b>\$0</b>	<b>\$437,049</b>	<b>\$1,308,930</b>	<b>\$0</b>	<b>5.9</b>

**DEPARTMENT BUDGET REALIGNMENTS:** The appropriation includes the following net-neutral budget realignments to reposition FTE to match budget with actual practice or to consolidate line items:

DEPARTMENT BUDGET REALIGNMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Departmental staffing re-alignment	\$399,272	\$399,272	\$0	\$0	\$0	4.0
Back office cashier re-alignment	(103,150)	0	(103,150)	0	0	(2.0)
<b>TOTAL</b>	<b>\$296,122</b>	<b>\$399,272</b>	<b>(\$103,150)</b>	<b>\$0</b>	<b>\$0</b>	<b>2.0</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes adjustments to indirect costs across the Department that include a net increase in indirect cost assessments and a refinancing from cash and reappropriated funds to General Fund to accommodate a net decrease in indirect cost recoveries.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments related to the out-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 R4 DMV driver's license documents	\$33,347	\$0	\$33,347	\$0	\$0	0.0
FY 19-20 Salary survey	(2,505,403)	(837,150)	(1,639,795)	(4,972)	(23,486)	0.0
FY 19-20 R5 DMV leased space	(2,040,000)	0	(2,040,000)	0	0	0.0
FY 19-20 R2 Sales and use tax collection	(48,251)	(48,251)	0	0	0	0.0
<b>TOTAL</b>	<b>(\$4,560,307)</b>	<b>(\$885,401)</b>	<b>(\$3,646,448)</b>	<b>(\$4,972)</b>	<b>(\$23,486)</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to the out-year impact prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 20-1257 Supplemental	\$100,300	(\$171,728)	\$272,028	\$0	\$0	(4.2)
HB 19-1090 Publicly licensed marijuana companies	74,151	0	74,151	0	0	0.0
SB 18-200 PERA unfunded liability	57,337	44,849	12,488	0	0	0.0
HB 19-1234 Regulated marijuana delivery	14,850	0	14,850	0	0	0.0
SB 18-141 Income tax checkoff nonprofit donation fund	1,326	0	1,326	0	0	0.0
HB 19-1327 Authorize and tax sports betting refer TABOR	0	(177,038)	177,038	0	0	0.0
SB 19-006 Electronic sales and use tax simplification	(817,000)	(817,000)	0	0	0	0.0
SB 19-139 More CO Road and Community Safety Act offices	(272,340)	0	(272,340)	0	0	0.0
SB 19-224 Sunset regulated marijuana	(77,722)	0	(77,722)	0	0	0.0
SB 19-256 Electronic documents motor vehicle appropriation	(37,868)	0	(37,868)	0	0	(0.4)
<b>TOTAL</b>	<b>(\$956,966)</b>	<b>(\$1,120,917)</b>	<b>\$163,951</b>	<b>\$0</b>	<b>\$0</b>	<b>(4.6)</b>

**BUDGET EFFICIENCIES:** The appropriation includes a decrease of \$50,000 cash funds from various sources in the Executive Director's Office to align with actual expenditures over the last two years.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## INFORMATION TECHNOLOGY DIVISION

The appropriations in this Division provide funding for contract services and maintenance for information technology systems not maintained by the Governor's Office of Information Technology and the Driver License, Record, Identification, and Vehicle Enterprise Solution (DRIVES) System, formerly known as the Colorado State Titling and Registration System (CSTARS). All FTE in the Division were transferred to OIT as part of the Statewide consolidation in FY 2010-11. The appropriations supporting the services of those personnel are included in the Executive Director's Office centrally appropriated line items.

Major sources of cash funds include the Racing Cash Fund, the Liquor Enforcement Division and State Licensing Authority Cash Fund, the Auto Dealers License Fund, the Aviation Fund, the Highway Users Tax Fund, the DRIVES Vehicle Services Account, the Limited Gaming Fund, the Driver's License Administrative Revocation Account, the AIR Account, and the Outstanding Judgments and Warrants Account. Sources of reappropriated funds are the State Lottery Fund and the Limited Gaming Fund.

INFORMATION TECHNOLOGY DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$4,842,255	\$1,209,976	\$3,632,279	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$4,842,255</b>	<b>\$1,209,976</b>	<b>\$3,632,279</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$4,842,255	\$1,209,976	\$3,632,279	\$0	\$0	0.0
Annualize prior year legislation	11,131	0	11,131	0	0	0.0
<b>HB 20-1360</b>	<b>\$4,853,386</b>	<b>\$1,209,976</b>	<b>\$3,643,410</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>TOTAL</b>	<b>\$4,853,386</b>	<b>\$1,209,976</b>	<b>\$3,643,410</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	\$11,131	\$0	\$11,131	\$0	\$0	0.0
Percentage Change	0.2%	0.0%	0.3%	n/a	n/a	n/a

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an increase of \$11,131 cash funds for the out-year impact of S.B. 18-200 (Eliminate Unfunded PERA Liability).

## TAXATION BUSINESS GROUP

The Taxation Business Group administers, collects, and enforces business taxes, income taxes, severance taxes, estate and transfer taxes, special taxes, including gasoline, special fuel, aviation fuel, cigarette, tobacco, and liquor excise taxes, public utility assessments, and food service licensing fees. Sources of cash funds include the Private Letter Ruling Fund, the Aviation Fund, the Tobacco Tax Cash Fund, the Alternative Fuels Rebate Fund, the Highway Users Tax Fund (for the Fuel Tracking System), the Mineral Audit Program, and the State Board of Land Commissioners. Sources of reappropriated funds include the Mineral Audit Program (federal funds), the State Board of Land Commissioners, and the Oil and Gas Conservation Commission.

The Mineral Audit Division audits oil, gas, and mineral rents and royalties; the mill levy from oil and gas production; and severance taxes from federal, state, and private lands. It receives funding from the U.S. Department of the Interior's Minerals Management Service under a cooperative agreement for delegated authority to audit federal minerals production in Colorado.

The Taxation Business Group manages the State's subsystem of the International Fuel Tracking System, which licenses fuel distributors, suppliers, importers, exporters and transporters, and collects fuel taxes for the Highway Users Tax Fund. This group also administers the old age heat and fuel and property tax assistance grants, the cigarette tax rebate to local governments, and the Amendment 35 tobacco tax distribution to local governments of proceeds from the tobacco tax fund.

TAXATION BUSINESS GROUP						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$83,461,461	\$78,641,631	\$3,678,074	\$317,368	\$824,388	420.1
SB 19-142	2,000	2,000	0	0	0	0.0
SB 19-248	30,000	30,000	0	0	0	0.0
HB 19-1085	678,347	678,347	0	0	0	0.0
HB 19-1090	2,000	0	2,000	0	0	0.0
HB 19-1230	2,000	0	2,000	0	0	0.0
HB 19-1245	286,408	286,408	0	0	0	0.4
HB 19-1327	443,500	443,500	0	0	0	0.0
HB 20-1257	(30,000)	(30,000)	0	0	0	0.0
<b>TOTAL</b>	<b>\$84,875,716</b>	<b>\$80,051,886</b>	<b>\$3,682,074</b>	<b>\$317,368</b>	<b>\$824,388</b>	<b>420.5</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$84,875,716	\$80,051,886	\$3,682,074	\$317,368	\$824,388	420.5
Annualize prior year budget actions	589,791	520,758	45,547	0	23,486	(4.0)
Technical adjustments	285,722	285,722	0	0	0	0.0
Annualize prior year legislation	107,209	259,697	(156,746)	0	4,258	2.1
Indirect cost assessment	839	(603)	1,442	0	0	0.0
Revenue forecast adjustments	(4,334,885)	(4,275,044)	(59,841)	0	0	0.0
Budget efficiencies	(580,966)	(200,000)	(380,966)	0	0	(6.0)
Centrally appropriated line items	(404,756)	(404,756)	0	0	0	0.0
Department budget realignments	(399,272)	(399,272)	0	0	0	(4.0)
<b>HB 20-1360</b>	<b>\$80,139,398</b>	<b>\$75,838,388</b>	<b>\$3,131,510</b>	<b>\$317,368</b>	<b>\$852,132</b>	<b>408.6</b>
SB 20-218	39,769	39,769	0	0	0	0.0
HB 20-1001	1,800	0	1,800	0	0	0.0
HB 20-1293	18,930	0	18,930	0	0	0.0
HB 20-1420	49,002	49,002	0	0	0	0.0
<b>TOTAL</b>	<b>\$80,248,899</b>	<b>\$75,927,159</b>	<b>\$3,152,240</b>	<b>\$317,368</b>	<b>\$852,132</b>	<b>408.6</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$4,626,817)</b>	<b>(\$4,124,727)</b>	<b>(\$529,834)</b>	<b>\$0</b>	<b>\$27,744</b>	<b>(11.9)</b>
Percentage Change	(5.5%)	(5.2%)	(14.4%)	0.0%	3.4%	(2.8%)

<sup>1</sup> Includes \$37,272,466 in FY 2019-20 and \$33,800,122 in FY 2020-21 that is not subject to the statutory restriction on state General Fund appropriations imposed by Section 24-75-201.1, C.R.S.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

Senate Bill 20-1257 (Supplemental Bill) modifies the FY 2019-20 appropriation with a series of net neutral technical adjustments to relocate appropriations from H.B. 19-1090 (Publicly Licensed Marijuana Companies), H.B. 19-1230 (Marijuana Hospitality Establishments), H.B. 19-1234 (Regulated Marijuana Delivery), and H.B. 19-1327 (Authorize and Tax Sports Betting) to other line items within the Department. In this division, that includes a \$30,000 General Fund decrease relocated to the Executive Director's Office.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments for the second-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$765,333	\$696,300	\$45,547	\$0	\$23,486	0.0
FY 19-20 R2 Sales and use tax collection	(175,542)	(175,542)	0	0	0	(4.0)
<b>TOTAL</b>	<b>\$589,791</b>	<b>\$520,758</b>	<b>\$45,547</b>	<b>\$0</b>	<b>\$23,486</b>	<b>(4.0)</b>

**TECHNICAL ADJUSTMENTS:** The appropriation includes an increase of \$285,722 General Fund for a FAST Enterprises information technology system contract escalator.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1085 Grants for property tax rent and heat	\$777,853	\$777,853	\$0	\$0	\$0	0.0
SB18-200 PERA unfunded liability	149,005	135,789	8,958	0	4,258	0.0
HB 18-1190 Modify job creation main street revitalization	63,453	63,453	0	0	0	1.4
HB 20-1257 Supplemental	30,000	30,000	0	0	0	0.0
HB 18-1185 Market sourcing for business income tax	7,891	7,891	0	0	0	0.0
HB 18-1202 Income tax credit leave of absence organ donation	6,290	6,290	0	0	0	0.0
HB 19-1327 Authorize and tax sports betting refer under TABOR	(443,500)	(443,500)	0	0	0	0.0
HB 19-1245 Affordable housing funding from vendor fee	(251,041)	(251,041)	0	0	0	0.3
SB 18-141 Income tax checkoff nonprofit donation fund	(113,704)	0	(113,704)	0	0	0.4
HB 18-1217 Income tax credit for employer 529 contributions	(50,000)	0	(50,000)	0	0	0.0
HB 18-1060 Income tax deduction for military retirement	(35,038)	(35,038)	0	0	0	0.0
SB 19-248 State tax system working group	(30,000)	(30,000)	0	0	0	0.0
SB 19-142 Hard cider exemption Wine Industry Development Act	(2,000)	(2,000)	0	0	0	0.0
HB 19-1090 Publicly licensed marijuana companies	(2,000)	0	(2,000)	0	0	0.0
<b>TOTAL</b>	<b>\$107,209</b>	<b>\$259,697</b>	<b>(\$156,746)</b>	<b>\$0</b>	<b>\$4,258</b>	<b>2.1</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

**REVENUE FORECAST ADJUSTMENTS:** The appropriation includes a decrease of \$4.3 million total funds, including a decrease of \$4,275,044 General Fund and \$59,841 cash funds, resulting from the revenue forecast for cigarette and marijuana tax General Fund and Tobacco Tax Cash Fund distributions to local governments via statutory or constitutional formula.

**BUDGET EFFICIENCIES:** The appropriation includes the following adjustments to align budget with recent actual expenditures.

BUDGET EFFICIENCIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Budget efficiencies - Taxation and Compliance Division	(\$310,466)	\$0	(\$310,466)	\$0	\$0	(5.0)
Budget efficiencies - Tax Conferee Office	(200,000)	(200,000)	0	0	0	0.0
Budget efficiencies - Taxpayer Services Division	(70,500)	0	(70,500)	0	0	(1.0)
<b>TOTAL</b>	<b>(\$580,966)</b>	<b>(\$200,000)</b>	<b>(\$380,966)</b>	<b>\$0</b>	<b>\$0</b>	<b>(6.0)</b>

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes a decrease of \$404,756 General Fund for Document Management provided by the Department of Personnel.

**DEPARTMENT BUDGET REALIGNMENTS:** The appropriation includes a decrease of \$399,272 General Fund and 4.0 FTE to reposition staff from the Taxation and Compliance Division to the Executive Director's Office.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## DIVISION OF MOTOR VEHICLES

This division is responsible for licensing drivers and issuing driver's licenses and state identification cards; maintaining driver records and administering driver sanctions; titling and registering motor vehicles; regulating commercial driving schools; enforcing the State's emissions program; administering the Motorist Insurance Identification Database Program; and assisting first time drunk driving offenders in obtaining ignition interlock devices required for those offenders to drive motor vehicles.

Major sources of cash funds are the Licensing Services Cash Fund and the License Plate Cash Fund. Other cash funds sources include the Highway Users Tax Fund, and subaccounts of the Highway Users Tax Fund including: the Colorado DRIVES Vehicle Services Account, the Automotive Inspections and Readjustment (AIR) Account, and the Driver's License Administrative Revocation Account.

DIVISION OF MOTOR VEHICLES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATE D FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$63,051,437	\$4,835,648	\$58,033,894	\$181,895	\$0	533.9
SB 19-035	6,750	0	6,750	0	0	0.0
SB 19-054	45,000	0	45,000	0	0	0.0
SB 19-139	1,427,460	0	1,427,460	0	0	21.6
SB 19-167	56,364	0	56,364	0	0	0.0
SB 19-175	1,575	0	1,575	0	0	0.0
SB 19-205	14,771	0	14,771	0	0	0.0
SB 19-235	18,000	18,000	0	0	0	0.0
SB 19-256	1,090,452	0	1,090,452	0	0	1.7
HB 19-1023	6,750	0	6,750	0	0	0.0
HB 19-1039	58,500	0	58,500	0	0	0.0
HB 19-1138	7,200	0	7,200	0	0	0.0
HB 19-1265	3,375	0	3,375	0	0	0.0
HB 20-1257	(50,248)	0	(50,248)	0	0	0.0
<b>TOTAL</b>	<b>\$65,737,386</b>	<b>\$4,853,648</b>	<b>\$60,701,843</b>	<b>\$181,895</b>	<b>\$0</b>	<b>557.2</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$65,737,386	\$4,853,648	\$60,701,843	\$181,895	\$0	557.2
Annualize prior year budget actions	1,220,845	136,914	1,080,478	3,453	0	0.0
Technical adjustments	319,279	0	319,279	0	0	0.0
Indirect cost assessment	314,329	(12,085)	326,414	0	0	0.0
Department budget realignments	103,150	0	103,150	0	0	2.0
Shift spending to cash funds - DMV	0	(750,000)	750,000	0	0	0.0
Budget efficiencies	(2,000,000)	0	(2,000,000)	0	0	0.0
Annualize prior year legislation	(1,169,306)	26,700	(1,196,547)	541	0	0.2
<b>HB 20-1360</b>	<b>\$64,525,683</b>	<b>\$4,255,177</b>	<b>\$60,084,617</b>	<b>\$185,889</b>	<b>\$0</b>	<b>559.4</b>
SB 20-035	112,500	0	112,500	0	0	0.0
SB 20-056	3,375	0	3,375	0	0	0.0
<b>TOTAL</b>	<b>\$64,641,558</b>	<b>\$4,255,177</b>	<b>\$60,200,492</b>	<b>\$185,889</b>	<b>\$0</b>	<b>559.4</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$1,095,828)</b>	<b>(\$598,471)</b>	<b>(\$501,351)</b>	<b>\$3,994</b>	<b>\$0</b>	<b>2.2</b>
Percentage Change	(1.7%)	(12.3%)	(0.8%)	2.2%	n/a	0.4%



## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

Senate Bill 20-1257 (Supplemental Bill) reduces the FY 2019-20 appropriation by \$50,248 cash funds from the Licensing Services Cash Fund for the delayed Parker Driver's License Office (DLO) expansion project.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments related to the out-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$1,016,113	\$136,914	\$875,746	\$3,453	\$0	0.0
FY 19-20 R4 DMV driver's license documents	383,122	0	383,122	0	0	0.0
FY 19-20 R5 DMV leased space	(178,390)	0	(178,390)	0	0	0.0
<b>TOTAL</b>	<b>\$1,220,845</b>	<b>\$136,914</b>	<b>\$1,080,478</b>	<b>\$3,453</b>	<b>\$0</b>	<b>0.0</b>

**TECHNICAL ADJUSTMENTS:** The appropriation includes an increase of \$319,279 cash funds for an IT systems contract escalator with FAST Enterprises.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in this division's indirect cost assessment.

**DEPARTMENT BUDGET REALIGNMENTS:** The appropriation includes a net-zero budget realignment that repositions \$103,150 cash funds from various sources and 2.0 FTE from the Executive Director's Office to the Division of Motor Vehicles. The appropriation also includes a net-zero realignment to consolidate the personal services appropriation within the Division of Motor Vehicles for 8.0 FTE from the Driver Services section and 9.0 FTE from the Vehicle Services section into the DMV's Administration, Personal Services and Operating Expenses lines for a total cash fund shift of \$1,544,696.

**SHIFT SPENDING TO CASH FUNDS – DMV:** The appropriation includes an ongoing reduction of \$750,000 from the General Fund appropriation to the Division of Motor Vehicles, Driver Services Division, and an accompanying increase of \$750,000 from the Licensing Services Cash Fund to support the Division's operations. This is a budget balancing action.

**BUDGET EFFICIENCIES:** The appropriation includes an ongoing reduction of \$2,000,000 from the Division of Motor Vehicle's License Plate Cash Fund. Revenue generated in the fund has been insufficient to allow spending up to the full appropriation within the license plate ordering line item.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB18-200 PERA	\$199,193	\$26,700	\$171,952	\$541	\$0	0.0
HB 20-1257 Supplemental	50,248	0	50,248	0	0	0.0
HB 19-1255 Mesa Verde National Park license plate	36,379	0	36,379	0	0	0.0
SB 19-167 Honor Colorado professional fire fighters	8,217	0	8,217	0	0	0.0
SB 19-256 Electronic documents motor vehicle appropriation	(977,684)	0	(977,684)	0	0	0.2
SB 19-139 More CO Road and Community Safety Act offices	(337,419)	0	(337,419)	0	0	0.0
HB 19-1039 Identity documents for transgender persons	(58,500)	0	(58,500)	0	0	0.0
SB 19-054 Military vehicle motor vehicle regulation	(45,000)	0	(45,000)	0	0	0.0
SB 19-235 Automatic voter registration	(18,000)	0	(18,000)	0	0	0.0
HB 19-1138 Vehicle transfer registration fee credit	(7,200)	0	(7,200)	0	0	0.0

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 19-035 DOR enforcement measure	(6,750)	0	(6,750)	0	0	0.0
HB 19-1023 Foster children driving licenses	(6,750)	0	(6,750)	0	0	0.0
HB 19-1265 Right-of-way for snowplows echelon formation	(3,375)	0	(3,375)	0	0	0.0
SB 19-175 Serious bodily injury vulnerable road user penalties	(1,575)	0	(1,575)	0	0	0.0
SB 19-205 Honor service of women veterans	(1,090)	0	(1,090)	0	0	0.0
<b>TOTAL</b>	<b>(\$1,169,306)</b>	<b>\$26,700</b>	<b>(\$1,196,547)</b>	<b>\$541</b>	<b>\$0</b>	<b>0.2</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## SPECIALIZED BUSINESS GROUP

This Division regulates the limited gaming industry; regulates horse and dog racing events; enforces the State's liquor, tobacco, and marijuana regulations; licenses liquor retailers, wholesalers, and manufacturers, and medical and retail marijuana retailers, manufacturers and cultivators; regulates the motor vehicles sales industry; and manages adjudication hearings related to drivers' licenses, certain racing licenses, and some tax disputes. Major sources of cash funds include the Limited Gaming Fund, the Auto Dealers License Fund, the Liquor Enforcement Division and State Licensing Authority Cash Fund, the Medical Marijuana License Cash Fund, the Racing Cash Fund, the Horse Breeders' and Owners' Awards and Supplemental Purse Fund, the Driver's License Administrative Revocation Account, and the Tobacco Education Programs Fund. The source of reappropriated funds is the Limited Gaming Fund.

SPECIALIZED BUSINESS GROUP						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$60,389,067	\$190,294	\$59,864,206	\$334,567	\$0	284.6
SB 19-224	292,974	0	292,974	0	0	1.8
SB 19-249	14,000	0	14,000	0	0	0.0
HB 19-1090	2,459,551	0	2,459,551	0	0	15.5
HB 19-1230	320,666	0	320,666	0	0	3.2
HB 19-1234	349,450	0	349,450	0	0	3.6
HB 19-1327	1,118,477	1,118,477	0	0	0	11.6
HB 20-1001	45,414	0	45,414	0	0	0.5
HB 20-1257	(318,197)	(141,728)	(176,469)	0	0	(4.2)
<b>TOTAL</b>	<b>\$64,671,402</b>	<b>\$1,167,043</b>	<b>\$63,169,792</b>	<b>\$334,567</b>	<b>\$0</b>	<b>316.6</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$64,671,402	\$1,167,043	\$63,169,792	\$334,567	\$0	316.6
Finance CDPHE lab with Marijuana Cash Funds	1,336,719	0	1,336,719	0	0	0.0
Annualize prior year legislation	1,213,322	(975,981)	2,189,303	0	0	25.1
Indirect cost assessment	238,866	0	238,866	0	0	0.0
Annualize prior year budget actions	229,766	3,936	225,830	0	0	0.0
Auto Industry Division fingerprinting	200,000	0	200,000	0	0	0.0
Budget efficiencies	(478,646)	0	(478,646)	0	0	(3.0)
Technical adjustments	(437,049)	0	(437,049)	0	0	(5.9)
<b>HB 20-1360</b>	<b>\$66,974,380</b>	<b>\$194,998</b>	<b>\$66,444,815</b>	<b>\$334,567</b>	<b>\$0</b>	<b>332.8</b>
HB 20-1001	1,688,940	0	1,688,940	0	0	17.4
<b>TOTAL</b>	<b>\$68,663,320</b>	<b>\$194,998</b>	<b>\$68,133,755</b>	<b>\$334,567</b>	<b>\$0</b>	<b>350.2</b>
<b>INCREASE/(DECREASE)</b>	<b>\$3,991,918</b>	<b>(\$972,045)</b>	<b>\$4,963,963</b>	<b>\$0</b>	<b>\$0</b>	<b>33.6</b>
Percentage Change	6.2%	(83.3%)	7.9%	0.0%	n/a	10.6%

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1001 (Nicotine Product Regulation) modifies the FY 2019-20 appropriation to add \$45,414 cash funds from the Liquor Enforcement Division Cash Fund and a corresponding 0.5 FTE to implement the act.

Senate Bill 20-1257 (Supplemental Bill) modifies the FY 2019-20 appropriation with a series of net neutral technical adjustments to relocate appropriations from H.B. 19-1090 (Publicly Licensed Marijuana Companies), H.B. 19-1230 (Marijuana Hospitality Establishments), H.B. 19-1234 (Regulated Marijuana Delivery), and H.B. 19-1327 (Authorize and Tax Sports Betting) to other line items within the Department.

House Bill 20-1360 (Long Bill) includes a technical adjustment to the appropriation clause of H.B. 19-1090 (Publicly Licensed Marijuana Companies) that would authorize the Marijuana Enforcement Division to spend \$875,000 of the appropriation in the bill through June 30, 2021. This amount is for a new licensing software system acquisition project that was unable to be completed in FY 2019-20.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**FINANCE CDPHE LAB WITH MARIJUANA CASH FUND:** The appropriation includes an ongoing increase of \$1,336,719 to finance the existing Marijuana Laboratory Testing Reference Library within the Colorado Department of Public Health and Environment with funds from the Marijuana Cash Fund in lieu of the Marijuana Tax Cash Fund. This is a budget balancing action.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments related to the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 19-1327 Authorize and tax sports betting refer under TABOR	\$952,202	(\$1,118,477)	\$2,070,679	\$0	\$0	11.9
HB 19-1234 Regulated marijuana delivery	701,911	0	701,911	0	0	9.3
HB 20-1257 Supplemental	318,197	141,728	176,469	0	0	4.2
SB18-200 PERA	103,996	768	103,228	0	0	0.0
HB 19-1090 Publicly licensed marijuana companies	(665,829)	0	(665,829)	0	0	0.0
SB 19-224 Sunset regulated marijuana	(137,741)	0	(137,741)	0	0	0.2
HB 20-1001 Nicotine product regulation	(45,414)	0	(45,414)	0	0	(0.5)
SB 19-249 License business selling its used motor vehicles	(14,000)	0	(14,000)	0	0	0.0
<b>TOTAL</b>	<b>\$1,213,322</b>	<b>(\$975,981)</b>	<b>\$2,189,303</b>	<b>\$0</b>	<b>\$0</b>	<b>25.1</b>

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in this division's indirect cost assessment.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes adjustments related to the out-year impact of prior year budget actions.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$528,752	\$3,936	\$524,816	\$0	\$0	0.0
FY 19-20 R7 MED operations	(298,986)	0	(298,986)	0	0	0.0
<b>TOTAL</b>	<b>\$229,766</b>	<b>\$3,936</b>	<b>\$225,830</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**AUTO INDUSTRY DIVISION FINGERPRINTING:** The appropriation includes an ongoing operating increase for the Auto Industry Division (AID) of \$200,000 cash funds from the Auto Dealers License Fund for existing payments to

the Colorado Bureau of Investigation (CBI) for fingerprint background checks. Currently, AID collects the fee for fingerprinting as part of the total transaction cost of license applications and passes on the revenues from applicants directly to CBI, instead of recording the full transaction cost as revenue to AID and separately recording payments to CBI as expenses.

**BUDGET EFFICIENCIES:** The appropriation includes an ongoing reduction of \$450,000 from the Limited Gaming Fund appropriation for the Division of Gaming. This reduction is to remove funding for 3.0 FTE and other personal services funding for temporary positions and contracting within the division that have been vacant for the past year. The appropriation also includes a decrease in spending authority of \$28,646 from the Cigarette Ignition Propensity Standards Cash Fund to align the appropriation with actual revenues and expenditures for reduced usage of product materials.

**TECHNICAL ADJUSTMENTS:** The appropriation includes a decrease of \$437,049 cash funds and 5.0 FTE in this Division and a matching increase in the Executive Director's Office for net-neutral technical adjustments for 2019 legislation.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## STATE LOTTERY DIVISION

The State Lottery Division regulates and administers the State Lottery. It is an enterprise under the provisions of Section 20 of Article X of the Colorado Constitution (the Taxpayer's Bill of Rights). Expenditures are paid from the State Lottery Fund and appropriated as cash funds. The Lottery's direct costs for centrally appropriated items are shown in consolidated budget lines within the Executive Director's Office. Proceeds from the Lottery are distributed to: the Conservation Trust Fund for parks, recreation, and open space purposes; the Division of Parks and Wildlife in the Department of Natural Resources for the acquisition, development, and improvement of state parks, recreation areas, and recreational trails; Great Outdoors Colorado; and public school capital improvements.

STATE LOTTERY DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$103,879,248	\$0	\$103,879,248	\$0	\$0	102.1
<b>TOTAL</b>	<b>\$103,879,248</b>	<b>\$0</b>	<b>\$103,879,248</b>	<b>\$0</b>	<b>\$0</b>	<b>102.1</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$103,879,248	\$0	\$103,879,248	\$0	\$0	102.1
Annualize prior year budget actions	195,205	0	195,205	0	0	0.0
Annualize prior year legislation	38,395	0	38,395	0	0	0.0
Department budget realignments	0	0	0	0	0	0.0
Indirect cost assessment	(50,594)	0	(50,594)	0	0	0.0
<b>HB 20-1360</b>	<b>\$104,062,254</b>	<b>\$0</b>	<b>\$104,062,254</b>	<b>\$0</b>	<b>\$0</b>	<b>102.1</b>
<b>TOTAL</b>	<b>\$104,062,254</b>	<b>\$0</b>	<b>\$104,062,254</b>	<b>\$0</b>	<b>\$0</b>	<b>102.1</b>
<b>INCREASE/(DECREASE)</b>	<b>\$183,006</b>	<b>\$0</b>	<b>\$183,006</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	0.2%	n/a	0.2%	n/a	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes \$195,205 cash funds for salary survey increases awarded in FY 2019-20.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an increase of \$38,395 cash funds for the out-year impact of S.B. 18-200 (Eliminate Unfunded PERA Liability).

**DEPARTMENT BUDGET REALIGNMENTS:** The appropriation includes an ongoing consolidation of the line item appropriations for the Operating Expenses, Travel, and Research line items into a single Operating Expenses appropriation within the Lottery Division.

**INDIRECT COST ASSESSMENT:** The appropriation includes a net decrease in this division's indirect cost assessment.

# Details

## DEPARTMENT OF STATE

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

DEPARTMENT OF STATE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$41,386,696</b>	<b>\$8,418,590</b>	<b>\$32,968,106</b>	<b>\$0</b>	<b>\$0</b>	<b>145.9</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Administration Division	11,796,659	0	11,796,659	0	0	21.1
Information Technology Division	9,589,728	0	9,589,728	0	0	46.0
Elections Division	16,623,270	8,418,590	8,204,680	0	0	39.7
Business and Licensing Division	3,377,039	0	3,377,039	0	0	39.1
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$37,369,416	\$6,300,000	\$31,069,416	\$0	\$0	145.9
SB 19-086	59,360	0	59,360	0	0	0.0
SB 19-202	50,000	0	50,000	0	0	0.0
SB 19-235	67,840	0	67,840	0	0	0.0
HB 19-1007	7,000	0	7,000	0	0	0.0
HB 19-1248	38,160	0	38,160	0	0	0.0
HB 19-1266	16,960	0	16,960	0	0	0.0
HB 19-1278	2,402,243	2,118,590	283,653	0	0	0.0
HB 19-1318	42,650	0	42,650	0	0	0.0
HB 20-1360	1,333,067	0	1,333,067	0	0	0.0
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$31,103,181</b>	<b>\$0</b>	<b>\$31,103,181</b>	<b>\$0</b>	<b>\$0</b>	<b>147.0</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Administration Division	11,018,743	0	11,018,743	0	0	21.1
Information Technology Division	9,266,683	0	9,266,683	0	0	46.0
Elections Division	7,284,966	0	7,284,966	0	0	39.7
Business and Licensing Division	3,532,789	0	3,532,789	0	0	40.2
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360	\$31,215,705	\$0	\$31,215,705	\$0	\$0	145.9
SB 20-096	132,795	0	132,795	0	0	1.1
HB 20-1379	(245,319)	0	(245,319)	0	0	0.0
<b>INCREASE/(DECREASE)</b>	<b>(\$10,283,515)</b>	<b>(\$8,418,590)</b>	<b>(\$1,864,925)</b>	<b>\$0</b>	<b>\$0</b>	<b>1.1</b>
Percentage Change	(24.8%)	(100.0%)	(5.7%)	n/a	n/a	0.8%

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of State are annotated with the "(I)". For additional information, see Appendix K.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$3,864,742	\$0	\$3,864,742	\$0	\$0

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### ADMINISTRATION DIVISION

The Administration Division provides general oversight and administrative support services for all divisions in the Department, including budgeting, human resources services, and public outreach. This division is entirely supported by the Department of State Cash Fund, which primarily consists of revenue from fees collected from businesses and other non-profits when filing required annual reporting documents. The Department of State has been cash funded for more than 30 years; however, as a result of S.B. 17-305 (Primary Election Clean-up), the Department receives General Fund to cover the cost of reimbursing counties the actual direct costs for the preparation and conduct of presidential primary elections.

ADMINISTRATION DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$11,796,659	\$0	\$11,796,659	\$0	\$0	21.1
<b>TOTAL</b>	<b>\$11,796,659</b>	<b>\$0</b>	<b>\$11,796,659</b>	<b>\$0</b>	<b>\$0</b>	<b>21.1</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$11,796,659	\$0	\$11,796,659	\$0	\$0	21.1
New lease for Department offices	256,834	0	256,834	0	0	0.0
Technical changes	218,574	0	218,574	0	0	0.0
Centrally appropriated line items	151,123	0	151,123	0	0	0.0
Annualize prior year legislation	9,695	0	9,695	0	0	0.0
Indirect cost assessment	9,141	0	9,141	0	0	0.0
Annualize prior year budget actions	(1,177,964)	0	(1,177,964)	0	0	0.0
<b>HB 20-1360</b>	<b>\$11,264,062</b>	<b>\$0</b>	<b>\$11,264,062</b>	<b>\$0</b>	<b>\$0</b>	<b>21.1</b>
HB 20-1379	(245,319)	0	(245,319)	0	0	0.0
<b>TOTAL</b>	<b>\$11,018,743</b>	<b>\$0</b>	<b>\$11,018,743</b>	<b>\$0</b>	<b>\$0</b>	<b>21.1</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$777,916)</b>	<b>\$0</b>	<b>(\$777,916)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	(6.6%)	n/a	(6.6%)	n/a	n/a	0.0%

### FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1360 (Long Bill) modifies the Department's FY 2019-20 appropriations to add a new footnote clarifying that \$900,000 in the Administration Division, Operating Expenses line item is for a public awareness campaign for the March 3, 2020 presidential primary election and the June 30, 2020 primary election. Previous documents referred to the appropriation only as relating to the 2020 presidential primary election.

### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**NEW LEASE FOR DEPARTMENT OFFICES:** The appropriation includes an increase of \$256,834 cash funds from the Department of State Cash Fund for the Department's renewed and expanded lease in the 1700 Broadway building in Denver, which houses all Department divisions and employees.

**TECHNICAL CHANGES:** The appropriation includes an increase of \$218,574 cash funds from the Electronic Recording Technology Board Fund to reflect the Electronic Recording Technology Board's adjusted balance. These funds are shown for informational purposes and are continuously appropriated pursuant to Section 24-21-404 (1)(a), C.R.S.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes adjustments to centrally appropriated line items for the following: state contributions for health, life, and dental benefits; short-term disability; supplemental state contributions to the Public Employees' Retirement Association (PERA) pension fund; PERA direct distributions; workers' compensation; legal services; administrative law judges; payment to risk management and property funds; vehicle lease payments; payments to the Governor's Office of Information Technology (OIT); and CORE operations.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an increase of \$9,695 cash funds for the out-year impacts of S.B. 18-200 (Eliminate Unfunded PERA Liability).

**INDIRECT COST ASSESSMENT:** The appropriation includes a net increase in the division's indirect cost assessment.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes changes to reflect the out year impact of funding decisions made through the FY 2019-20 appropriation, including:

- A decrease of \$900,000 cash funds that was for an outreach campaign educating unaffiliated voters about their ballots in the run-up to the March 3, 2020 presidential primary election and the June 30, 2020 state primary election; and
- A decrease of \$277,964 cash funds for the second-year impact of the FY 2019-20 salary survey.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## INFORMATION TECHNOLOGY DIVISION

Information Technology (IT) Division provides technical and project management services, systems development, and support for information technology systems in the Department, including: (1) web-based search and filing services used by the Business and Licensing Division to process over 2,500 web-based transactions daily; and (2) the statewide voter registration and election management system (SCORE). The IT Division is also responsible for ensuring the Department's compliance with the Colorado Information Security Act. Funding for this division is provided entirely by the Department of State Cash Fund.

INFORMATION TECHNOLOGY DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$9,052,460	\$0	\$9,052,460	\$0	\$0	46.0
SB 19-086	59,360	0	59,360	0	0	0.0
SB 19-202	50,000	0	50,000	0	0	0.0
SB 19-235	67,840	0	67,840	0	0	0.0
HB 19-1007	7,000	0	7,000	0	0	0.0
HB 19-1248	38,160	0	38,160	0	0	0.0
HB 19-1266	16,960	0	16,960	0	0	0.0
HB 19-1278	255,298	0	255,298	0	0	0.0
HB 19-1318	42,650	0	42,650	0	0	0.0
<b>TOTAL</b>	<b>\$9,589,728</b>	<b>\$0</b>	<b>\$9,589,728</b>	<b>\$0</b>	<b>\$0</b>	<b>46.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$9,589,728	\$0	\$9,589,728	\$0	\$0	46.0
Annualize prior year budget actions	121,293	0	121,293	0	0	0.0
Annualize prior year legislation	(511,538)	0	(511,538)	0	0	0.0
<b>HB 20-1360</b>	<b>\$9,199,483</b>	<b>\$0</b>	<b>\$9,199,483</b>	<b>\$0</b>	<b>\$0</b>	<b>46.0</b>
SB 20-096	67,200	0	67,200	0	0	0.0
<b>TOTAL</b>	<b>\$9,266,683</b>	<b>\$0</b>	<b>\$9,266,683</b>	<b>\$0</b>	<b>\$0</b>	<b>46.0</b>



INFORMATION TECHNOLOGY DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>INCREASE/(DECREASE)</b>	(\$323,045)	\$0	(\$323,045)	\$0	\$0	0.0
Percentage Change	(3.4%)	n/a	(3.4%)	n/a	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$121,293 cash funds for the annualization of FY 2019-20 salary survey.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the second-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$20,180	\$0	\$20,180	\$0	\$0	0.0
HB 19-1278 Uniform Election Code	(249,748)	0	(249,748)	0	0	0.0
SB 19-235 Automatic Voter Registration	(67,840)	0	(67,840)	0	0	0.0
SB 19-086 Update Business Entity Laws	(59,360)	0	(59,360)	0	0	0.0
SB 19-202 Voters with Disabilities	(50,000)	0	(50,000)	0	0	0.0
HB 19-1318 Clean Campaign Act	(42,650)	0	(42,650)	0	0	0.0
HB 19-1248 Lobbyist Transparency Act	(38,160)	0	(38,160)	0	0	0.0
HB 19-1266 Restore Voting Rights to Parolees	(16,960)	0	(16,960)	0	0	0.0
HB 19-1007 Contribution Limits for County Offices	(7,000)	0	(7,000)	0	0	0.0
<b>TOTAL</b>	<b>(\$511,538)</b>	<b>\$0</b>	<b>(\$511,538)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## ELECTIONS DIVISION

The Elections Division administers statewide statutory and constitutional provisions that relate to elections, including the administration of the initiative and referendum process. This includes supervising primary, general, and congressional vacancy elections; maintaining the statewide voter registration database; authorizing official recounts for federal, state, and district elections; and administering the Fair Campaign Practices Act. The Elections Division also helps the Secretary of State supervise the 64 county clerks in the execution of their statutory responsibilities relating to voter registration and elections. Additionally, the Division administers the lobbyist program. This division is funded by the Department of State Cash Fund and the continuously-appropriated Federal Elections Assistance Fund, which was established to receive federal Help America Vote Act (HAVA) funding.

ELECTIONS DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$13,143,258	\$6,300,000	\$6,843,258	\$0	\$0	39.7
HB 19-1278	2,146,945	2,118,590	28,355	0	0	0.0
HB 20-1360	1,333,067	0	1,333,067	0	0	0.0
<b>TOTAL</b>	<b>\$16,623,270</b>	<b>\$8,418,590</b>	<b>\$8,204,680</b>	<b>\$0</b>	<b>\$0</b>	<b>39.7</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$16,623,270	\$8,418,590	\$8,204,680	\$0	\$0	39.7

ELECTIONS DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Document management	199,126	0	199,126	0	0	0.0
Outreach to eligible but unregistered voters	135,000	0	135,000	0	0	0.0
Annualize prior year legislation	(8,418,739)	(8,418,590)	(149)	0	0	0.0
Annualize prior year budget actions	(1,253,691)	0	(1,253,691)	0	0	0.0
<b>HB 20-1360</b>	<b>\$7,284,966</b>	<b>\$0</b>	<b>\$7,284,966</b>	<b>\$0</b>	<b>\$0</b>	<b>39.7</b>
<b>TOTAL</b>	<b>\$7,284,966</b>	<b>\$0</b>	<b>\$7,284,966</b>	<b>\$0</b>	<b>\$0</b>	<b>39.7</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$9,338,304)</b>	<b>(\$8,418,590)</b>	<b>(\$919,714)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	(56.2%)	(100.0%)	(11.2%)	n/a	n/a	0.0%

## FY 2018-19 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1360 (Long Bill) modifies the Department's FY 2018-19 appropriation to decrease by \$290,724 cash funds in FY 2018-19 from the Department of State Cash Fund. This change corrects an error that granted an over-appropriation in the Help America Vote Act (HAVA) Program due to the matching local funds for a federal grant already having received roll forward spending authority in FY 2017-18 through S.B. 19-124 (Supplemental). This change corrects the affected letternote and eliminates the corresponding footnote.

## FY 2019-20 APPROPRIATION - MID-YEAR ADJUSTMENTS

House Bill 20-1360 (Long Bill) modifies the Department's appropriation by \$1,333,067 cash funds in FY 2019-20 from the Department of State Cash Fund to the Elections Division, Help America Vote Act (HAVA) Program line item for required matching funds for an election security grant pursuant to the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The CARES Act awarded \$400 million for election security nationwide, including \$6.7 million to Colorado, with the stipulation that states provide a 20 percent match. This change includes a footnote authorizing roll forward spending authority until the close of the FY 2020-21 fiscal year.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**DOCUMENT MANAGEMENT:** The appropriation includes an increase of \$199,126 cash funds for the Integrated Documents Solutions common policy expenditures associated with petition verification provided by the Department of Personnel.

**OUTREACH TO ELIGIBLE BUT UNREGISTERED VOTERS:** The appropriation includes a one-time increase of \$135,000 cash funds from the Department of State Cash Fund to provide outreach to eligible but unregistered voters. Colorado is a member of the Electronic Registration Information Center (ERIC), a multistate nonprofit organization with the sole mission of assisting states to improve the accuracy of voter rolls and increase access to voter registration for all eligible citizens. The additional spending authority would enable the Department to contact all citizens on ERIC's list of eligible, but unregistered voters.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes adjustments for the out-year impacts of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA	\$13,206	\$0	\$13,206	\$0	\$0	0.0
SB 17-305 Primary Election Clean-up	(6,300,000)	(6,300,000)	0	0	0	0.0
HB 19-1278 Uniform Election Code	(2,131,945)	(2,118,590)	(13,355)	0	0	0.0
<b>TOTAL</b>	<b>(\$8,418,739)</b>	<b>(\$8,418,590)</b>	<b>(\$149)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes changes to reflect the out year impact of funding decisions made through the FY 2019-20 appropriation, including:

- A decrease of \$1,333,067 cash funds that provided matching funds for a CARES Act election security grant; and
- An increase of \$79,376 cash funds for the second-year impact of the FY 2019-20 salary survey.

## BUSINESS AND LICENSING DIVISION

The Business and Licensing Division is responsible for processing filings from businesses and non-profits and collecting the associated fees, as well as: overseeing the Business Intelligence Center and the Go Code Colorado statewide app challenge event; licensing entities involved in charitable gaming; registering charitable organizations; licensing and regulating notaries public; and publishing the Code of Colorado Regulations.

BUSINESS AND LICENSING DIVISION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$3,377,039	\$0	\$3,377,039	\$0	\$0	39.1
<b>TOTAL</b>	<b>\$3,377,039</b>	<b>\$0</b>	<b>\$3,377,039</b>	<b>\$0</b>	<b>\$0</b>	<b>39.1</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$3,377,039	\$0	\$3,377,039	\$0	\$0	39.1
Annualize prior year budget actions	77,295	0	77,295	0	0	0.0
Annualize prior year legislation	12,860	0	12,860	0	0	0.0
<b>HB 20-1360</b>	<b>\$3,467,194</b>	<b>\$0</b>	<b>\$3,467,194</b>	<b>\$0</b>	<b>\$0</b>	<b>39.1</b>
SB 20-096	65,595	0	65,595	0	0	1.1
<b>TOTAL</b>	<b>\$3,532,789</b>	<b>\$0</b>	<b>\$3,532,789</b>	<b>\$0</b>	<b>\$0</b>	<b>40.2</b>
<b>INCREASE/(DECREASE)</b>	\$155,750	\$0	\$155,750	\$0	\$0	1.1
Percentage Change	4.6%	n/a	4.6%	n/a	n/a	2.8%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS:** The appropriation includes an increase of \$77,295 cash funds for the annualization of FY 2019-20 salary survey.

**ANNUALIZE PRIOR YEAR LEGISLATION:** The appropriation includes an increase of \$12,860 cash funds for the out-year impact of S.B. 18-200 (Eliminate Unfunded PERA Liability).

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# Details

## DEPARTMENT OF TRANSPORTATION

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

DEPARTMENT OF TRANSPORTATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$2,112,021,087</b>	<b>\$0</b>	<b>\$1,483,476,167</b>	<b>\$7,078,096</b>	<b>\$621,466,824</b>	<b>3,328.8</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Administration	38,281,507	0	38,218,284	63,223	0	183.5
Construction, Maintenance, and Operations	1,912,606,932	0	1,289,725,235	1,414,873	621,466,824	3,132.3
High Performance Transportation Enterprise	16,942,648	0	11,342,648	5,600,000	0	9.0
First Time Drunk Driving Offenders Account	2,500,000	0	2,500,000	0	0	0.0
Statewide Bridge Enterprise	118,140,000	0	118,140,000	0	0	2.0
Marijuana Impaired Driving Program	950,000	0	950,000	0	0	0.0
Southwest Chief and Front Range Passenger Rail Commission	100,000	0	100,000	0	0	2.0
Multimodal Transportation Projects	22,500,000	0	22,500,000	0	0	0.0
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$2,112,021,087	\$0	\$1,483,476,167	\$7,078,096	\$621,466,824	3,328.8
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$1,984,492,382</b>	<b>\$1,000,000</b>	<b>\$1,346,836,605</b>	<b>\$7,078,096</b>	<b>\$629,577,681</b>	<b>3,326.0</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Administration	35,709,985	0	35,646,798	63,187	0	158.0
Construction, Maintenance, and Operations	1,802,173,507	0	1,171,180,917	1,414,909	629,577,681	3,156.0
Statewide Bridge Enterprise	120,910,162	0	120,910,162	0	0	1.0
High Performance Transportation Enterprise	22,648,728	0	17,048,728	5,600,000	0	9.0
Southwest Chief and Front Range Passenger Rail Commission	100,000	0	100,000	0	0	2.0
Special Purpose	2,950,000	1,000,000	1,950,000	0	0	0.0
Multimodal Transportation Projects	0	0	0	0	0	0.0
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360	\$1,984,439,402	\$1,000,000	\$1,346,783,625	\$7,078,096	\$629,577,681	3,326.0
HB 20-1153	52,980	0	52,980	0	0	0.0
<b>INCREASE/(DECREASE)</b>	<b>(\$127,528,705)</b>	<b>\$1,000,000</b>	<b>(\$136,639,562)</b>	<b>\$0</b>	<b>\$8,110,857</b>	<b>(2.8)</b>
Percentage Change	(6.0%)	n/a	(9.2%)	0.0%	1.3%	(0.1%)

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of Transportation are annotated with the "(I)". For additional information, see *Appendix K*.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$1,945,785,377	\$0	\$1,309,192,787	\$7,014,909	\$629,577,681

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### ADMINISTRATION

The Administration Division includes the Transportation Commission, the Office of the Executive Director, the Office of Government Relations, the Public Relations Office, the Office of Information Technology, the Office of Financial Management and Budget, the Accounting Branch, the Chief Engineer and Regional Directors, the multi-agency fleet vehicle garage, Human Resources and Administration, Audit, and other centralized administrative appropriations for the Department.

ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$38,281,507	\$0	\$38,218,284	\$63,223	\$0	183.5
<b>TOTAL</b>	<b>\$38,281,507</b>	<b>\$0</b>	<b>\$38,218,284</b>	<b>\$63,223</b>	<b>\$0</b>	<b>183.5</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$38,281,507	\$0	\$38,218,284	\$63,223	\$0	183.5
Total compensation changes in Administration, Administration impact	198,241	0	198,241	0	0	0.0
Non-prioritized decision items in Administration, Administration impact	74,825	0	74,825	0	0	0.0
FTE Adjustments	0	0	0	0	0	(25.5)
Other changes in Administration, Administration impact	(1,772,893)	0	(1,772,857)	(36)	0	0.0
Administration efficiency savings, Administration impact	(1,124,675)	0	(1,124,675)	0	0	0.0
<b>HB 20-1360</b>	<b>\$35,657,005</b>	<b>\$0</b>	<b>\$35,593,818</b>	<b>\$63,187</b>	<b>\$0</b>	<b>158.0</b>
HB 20-1153	52,980	0	52,980	0	0	0.0
<b>TOTAL</b>	<b>\$35,709,985</b>	<b>\$0</b>	<b>\$35,646,798</b>	<b>\$63,187</b>	<b>\$0</b>	<b>158.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$2,571,522)</b>		<b>(\$2,571,486)</b>	<b>(\$36)</b>	<b>\$0</b>	<b>(25.5)</b>
Percentage Change	(6.7%)	n/a	(6.7%)	(0.1%)	n/a	(13.9%)

### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**TOTAL COMPENSATION CHANGES IN ADMINISTRATION, ADMINISTRATION IMPACT:** The appropriation shifts \$198,241 cash funds from the Construction, Maintenance, and Operations Division to the Administration Division to pay for compensation and benefits adjustments in the Administration Division.

**NON-PRIORITIZED DECISION ITEMS IN ADMINISTRATION, ADMINISTRATION IMPACT:** The appropriation shifts \$74,825 cash funds from the Construction, Maintenance, and Operations Division to the Administration Division to pay for non-prioritized decision items that are funded in the Administration Division.

**FTE ADJUSTMENTS:** The appropriation reduces CDOT's (informational) FTE in the Administration Division by 25.5.

**OTHER CHANGES IN ADMINISTRATION, ADMINISTRATION IMPACT:** The appropriation includes a decrease of \$1,772,893 total funds in the Administration division (\$1,772,857 cash funds) that reflects changing costs for legal services, indirect costs, and payments to OIT. The savings is shifted to the Construction, Maintenance, and Operations (CM&O) Division.

**ADMINISTRATION EFFICIENCY SAVINGS, ADMINISTRATION IMPACT:** The appropriation includes a reduction of \$1,124,675 cash funds in the Administration Division as it implements various efficiency measures, with the savings shifted to the Construction, Maintenance, and Operations Division.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## CONSTRUCTION, MAINTENANCE, AND OPERATIONS

The Construction, Maintenance, and Operations Division (CM&O) is responsible for transportation planning and all phases of highway operation including engineering, construction, and maintenance. The Transportation Commission allocates the budgets for these programs and the amounts are included in the Long Bill for informational purposes only. The Division also includes other, smaller programs.

This division's revenues are continuously appropriated to the Department for the construction, maintenance, and operations of state highways and transportation systems. Cash funds include the State Highway Fund, miscellaneous permit fees, interest earnings, and local matching funds made available to match federal dollars.

CONSTRUCTION, MAINTENANCE, AND OPERATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$1,912,606,932	\$0	\$1,289,725,235	\$1,414,873	\$621,466,824	3,132.3
<b>TOTAL</b>	<b>\$1,912,606,932</b>	<b>\$0</b>	<b>\$1,289,725,235</b>	<b>\$1,414,873</b>	<b>\$621,466,824</b>	<b>3,132.3</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$1,912,606,932	\$0	\$1,289,725,235	\$1,414,873	\$621,466,824	3,132.3
Other changes in Administration, CM&O impact	1,772,893	0	1,772,857	36	0	0.0
Administration efficiency savings, CM&O impact	1,124,675	0	1,124,675	0	0	0.0
FTE Adjustments	0	0	0	0	0	23.7
Revenue from CM&O revenue sources	(113,057,927)	0	(121,168,784)	0	8,110,857	0.0
Total-compensation changes in Administration, CM&O impact	(198,241)	0	(198,241)	0	0	0.0
NP decision items in Administration, CM&O impact	(74,825)	0	(74,825)	0	0	0.0
<b>HB 20-1360</b>	<b>\$1,802,173,507</b>	<b>\$0</b>	<b>\$1,171,180,917</b>	<b>\$1,414,909</b>	<b>\$629,577,681</b>	<b>3,156.0</b>
<b>TOTAL</b>	<b>\$1,802,173,507</b>	<b>\$0</b>	<b>\$1,171,180,917</b>	<b>\$1,414,909</b>	<b>\$629,577,681</b>	<b>3,156.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$110,433,425)</b>	<b>\$0</b>	<b>(\$118,544,318)</b>	<b>\$36</b>	<b>\$8,110,857</b>	<b>23.7</b>
Percentage Change	(5.8%)	n/a	(9.2%)	0.0%	1.3%	0.8%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**OTHER CHANGES IN ADMINISTRATION, CM&O IMPACT:** The appropriation includes a decrease of \$1,772,893 total funds in the Administration division (\$1,772,857 cash funds) that reflects changing costs for legal services, indirect costs, and payments to OIT. This savings is shifted to the CM&O Division.

**ADMINISTRATION EFFICIENCY SAVINGS, CM&O IMPACT:** The appropriation includes a reduction of \$1,124,675 cash funds in the Administration Division as it implements various efficiency measures, with the savings shifted to the CM&O Division.

**FTE ADJUSTMENTS:** The appropriation increases the CM&O Division's (informational) FTE in the Long Bill by 23.7.

**REVENUE FROM CM&O SOURCES:** The appropriation includes \$113.1 million less total funds to reflect for the difference between this year's forecast of next year's CM&O Division revenue and last year's forecast of this year's CM&O revenue.

**TOTAL-COMPENSATION CHANGES IN ADMINISTRATION, CM&O IMPACT:** The appropriation shifts \$198,241 cash funds from the CM&O Division to the Administration Division to pay for compensation and benefits adjustments in the Administration Division.

**NON-PRIORITIZED DECISION ITEMS IN ADMINISTRATION, CM&O IMPACT:** The appropriation shifts \$74,825 cash funds from the CM&O Division to the Administration Division to pay for non-prioritized decision items that are funded in the Administration Division.

## STATEWIDE BRIDGE ENTERPRISE

This TABOR (Taxpayer Bill of Rights) enterprise, which operates within the Department of Transportation, finances, repairs, reconstructs, and replaces state bridges. The Enterprise can and has raised money by issuing revenue bonds. It can also borrow funds from the Transportation Commission, which serves as the Enterprise's board of directors. The Bridge Enterprise receives revenue from the bridge safety surcharge on vehicle registrations. The amounts shown in the Long Bill are revenue estimates and are included for informational purposes only.

STATEWIDE BRIDGE ENTERPRISE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$118,140,000	\$0	\$118,140,000	\$0	\$0	2.0
<b>TOTAL</b>	<b>\$118,140,000</b>	<b>\$0</b>	<b>\$118,140,000</b>	<b>\$0</b>	<b>\$0</b>	<b>2.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$118,140,000	\$0	\$118,140,000	\$0	\$0	2.0
Revenue from Bridge Enterprise sources	2,770,162	0	2,770,162	0	0	0.0
FTE Adjustments	0	0	0	0	0	(1.0)
<b>HB 20-1360</b>	<b>\$120,910,162</b>	<b>\$0</b>	<b>\$120,910,162</b>	<b>\$0</b>	<b>\$0</b>	<b>1.0</b>
<b>TOTAL</b>	<b>\$120,910,162</b>	<b>\$0</b>	<b>\$120,910,162</b>	<b>\$0</b>	<b>\$0</b>	<b>1.0</b>
<b>INCREASE/(DECREASE)</b>	\$2,770,162		\$2,770,162	\$0	\$0	(1.0)
Percentage Change	2.3%	n/a	2.3%	n/a	n/a	(50.0%)

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**REVENUE FROM BRIDGE ENTERPRISE SOURCES:** The appropriation includes a \$2.8 million cash funds increase that reflects the difference between this year's forecast of next year's Bridge Enterprise revenue and last year's forecast of this year's Bridge Enterprise revenue.

**FTE ADJUSTMENTS:** The appropriation reduces the Bridge Enterprise's (informational) FTE in the Long Bill by 1.0.

## HIGH PERFORMANCE TRANSPORTATION ENTERPRISE

This TABOR enterprise operates within the Department of Transportation. It pursues innovative means of financing and operating surface transportation infrastructure projects, including public-private partnerships, operating concession agreements, user fees, and design-build contracting. The amounts in the Long Bill come from two main sources: user-fee revenue from express lanes and fee-for-service payments. These amounts are revenue estimates and are included for informational purposes only.

HIGH PERFORMANCE TRANSPORTATION ENTERPRISE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$16,942,648	\$0	\$11,342,648	\$5,600,000	\$0	9.0
<b>TOTAL</b>	<b>\$16,942,648</b>	<b>\$0</b>	<b>\$11,342,648</b>	<b>\$5,600,000</b>	<b>\$0</b>	<b>9.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$16,942,648	\$0	\$11,342,648	\$5,600,000	\$0	9.0
Revenue from Transportation Enterprise sources	5,706,080	0	5,706,080	0	0	0.0
<b>HB 20-1360</b>	<b>\$22,648,728</b>	<b>\$0</b>	<b>\$17,048,728</b>	<b>\$5,600,000</b>	<b>\$0</b>	<b>9.0</b>
<b>TOTAL</b>	<b>\$22,648,728</b>	<b>\$0</b>	<b>\$17,048,728</b>	<b>\$5,600,000</b>	<b>\$0</b>	<b>9.0</b>
<b>INCREASE/(DECREASE)</b>	\$5,706,080		\$5,706,080	\$0	\$0	0.0
Percentage Change	33.7%	n/a	50.3%	0.0%	n/a	0.0%

### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**REVENUE FROM TRANSPORTATION ENTERPRISE SOURCES:** The appropriation includes a \$5.7 million cash funds increase that reflects the difference between this year's forecast of next year's Transportation Enterprise revenue and last year's forecast of this year's Transportation Enterprise revenue.

## SOUTHWEST CHIEF AND FRONT RANGE PASSENGER RAIL COMMISSION

House Bill 14-1161 created the Southwest Chief Rail Line Economic Development, Rural Tourism, and Infrastructure Repair and Maintenance Commission to encourage Amtrak to continue the existing Southwest Chief rail line service and expand the service to include a stop in Pueblo and potentially Walsenburg. Senate Bill 17-153 extended the Commission's life, expanded its duties, and renamed it the Southwest Chief and Front Range Passenger Rail Commission. The expanded duties include facilitating the future of Front Range passenger rail. The appropriations are from the Commission's cash fund.

SOUTHWEST CHIEF AND FRONT RANGE PASSENGER RAIL COMMISSION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$100,000	\$0	\$100,000	\$0	\$0	2.0
<b>TOTAL</b>	<b>\$100,000</b>	<b>\$0</b>	<b>\$100,000</b>	<b>\$0</b>	<b>\$0</b>	<b>2.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$100,000	\$0	\$100,000	\$0	\$0	2.0
No changes	0	0	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$100,000</b>	<b>\$0</b>	<b>\$100,000</b>	<b>\$0</b>	<b>\$0</b>	<b>2.0</b>
<b>TOTAL</b>	<b>\$100,000</b>	<b>\$0</b>	<b>\$100,000</b>	<b>\$0</b>	<b>\$0</b>	<b>2.0</b>
<b>INCREASE/(DECREASE)</b>	\$0	\$0	\$0	\$0	\$0	0.0
Percentage Change	0.0%	n/a	0.0%	n/a	n/a	0.0%



## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**NO CHANGES:** The appropriation does not contain changes from the FY 2019-20 appropriation.

### SPECIAL PURPOSE

This section contains three line items:

- The *First Time Drunk Driving Offenders Account*, which receives revenue from drivers' license reinstatement fees following drunk driving convictions and uses the revenue to fund high visibility impaired driving enforcement events.
- The *Marijuana Impaired Driving Program*, which receives support from the Marijuana Tax Cash Fund and uses the money to fund marijuana-impaired driving prevention efforts, including public education campaigns and data collection efforts.
- The appropriation for *Transportation Services for Vulnerable Populations, Including Seniors*, a new General Fund appropriation for FY 2020-21.

SPECIAL PURPOSE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$3,450,000	\$0	\$3,450,000	0	\$0	9.0
<b>TOTAL</b>	<b>\$3,450,000</b>	<b>\$0</b>	<b>\$3,450,000</b>	<b>0</b>	<b>\$0</b>	<b>9.0</b>
FY 2020-21 APPROPRIATION:						
Transportation Services for Vulnerable Populations, Including Seniors	1,000,000	1,000,000	0	0	0	0.0
Revenue from Marijuana Tax Cash Fund	(1,500,000)	0	(1,500,000)	0	0	0.0
<b>HB 20-1360</b>	<b>\$2,950,000</b>	<b>\$1,000,000</b>	<b>\$1,950,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>TOTAL</b>	<b>\$2,950,000</b>	<b>\$1,000,000</b>	<b>\$1,950,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>\$2,950,000</b>	<b>\$1,000,000</b>	<b>\$1,950,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	0.0%	0.0%	0.0%	n/a	n/a	0.0%

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**TRANSPORTATION SERVICES FOR VULNERABLE POPULATIONS, INCLUDING SENIORS:** This new appropriation provides \$1.0 million General Fund for Transportation Services for Vulnerable Populations, Including Seniors.

**REVENUE FROM MARIJUANA TAX CASH FUND:** The appropriation reduces CDOT's appropriation from the Marijuana Tax Cash Fund by \$1,500,000. Of this reduction, \$1,000,000 reflects the end of a one-time \$1.0 million FY 2019-20 appropriation for the First Time Drunk Driving Offenders Account and \$500,000 is a budget balancing reduction for the Marijuana Impaired Driving Program.

## MULTIMODAL TRANSPORTATION PROJECTS

Senate Bill 18-001 provided two years of funding for multimodal projects, which include capital or operating costs for fixed route and on-demand transit, transportation demand management programs, multimodal mobility projects

enabled by new technology, multimodal transportation studies, and bicycle or pedestrian projects. This division contains appropriations from the Multimodal Transportation Options Fund.

MULTIMODAL TRANSPORTATION PROJECTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$22,500,000	\$0	\$22,500,000	\$0	\$0	0.0
<b>TOTAL</b>	<b>\$22,500,000</b>	<b>\$0</b>	<b>\$22,500,000</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$22,500,000	\$0	\$22,500,000	\$0	\$0	0.0
Revenue from Multimodal Transportation Fund Sources	(22,500,000)	0	(22,500,000)	0	0	0.0
<b>HB 20-1360</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	(\$22,500,000)		(\$22,500,000)	\$0	\$0	0.0
Percentage Change	(100.0%)	n/a	(100.0%)	n/a	n/a	n/a

#### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**MULTIMODAL TRANSPORTATION FUND REVENUE ADJUSTMENT:** The appropriation reflects the end of the revenue provided to the Multimodal Transportation Options Fund by S.B. 18-001.

# Details

## DEPARTMENT OF THE TREASURY

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DIVISION AND BILL

DEPARTMENT OF THE TREASURY						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$845,238,803</b>	<b>\$322,775,495</b>	<b>\$448,557,959</b>	<b>\$73,905,349</b>	<b>\$0</b>	<b>32.9</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Administration	3,908,109	2,235,248	1,672,861	0	0	17.4
Unclaimed Property Program	2,359,746	0	2,359,746	0	0	15.5
Special Purpose	838,970,948	320,540,247	444,525,352	73,905,349	0	0.0
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$860,894,883	\$338,475,495	\$448,514,039	\$73,905,349	\$0	32.9
SB 19-173	800,000	800,000	0	0	0	0.0
HB 20-1258	43,920	0	43,920	0	0	0.0
HB 20-1360	(16,500,000)	(16,500,000)	0	0	0	0.0
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$653,265,603</b>	<b>\$179,288,912</b>	<b>\$456,543,447</b>	<b>\$17,433,244</b>	<b>\$0</b>	<b>37.9</b>
BREAKDOWN OF TOTAL APPROPRIATION BY ADMINISTRATIVE SECTION						
Administration	4,400,037	2,600,492	1,799,545	0	0	22.4
Unclaimed Property Program	2,481,967	0	2,481,967	0	0	15.5
Special Purpose	646,383,599	176,688,420	452,261,935	17,433,244	0	0.0
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360	\$877,117,998	\$361,072,642	\$444,561,518	\$71,483,838	\$0	32.9
SB 20-200	1,197,552	1,197,552	0	0	0	5.0
HB 20-1376	0	(12,000,000)	12,000,000	0	0	0.0
HB 20-1379	(225,049,947)	(170,981,282)	(18,071)	(54,050,594)	0	0.0
<b>INCREASE/(DECREASE)</b>	<b>(\$191,973,200)</b>	<b>(\$143,486,583)</b>	<b>\$7,985,488</b>	<b>(\$56,472,105)</b>	<b>\$0</b>	<b>5.0</b>
Percentage Change	(22.7%)	(44.5%)	1.8%	(76.4%)	n/a	15.2%

<sup>1</sup> Includes \$140,789,518 in FY 2019-20 and \$163,663,420 in FY 2020-21 that is not subject to the statutory restriction on state General Fund appropriations imposed by Section 24-75-201.1, C.R.S.

**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the Department of the Treasury are annotated with the "(I)". For additional information, see Appendix K.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$570,628,090	\$163,663,420	\$389,531,426	\$17,433,244	\$0

## DETAIL OF APPROPRIATION BY ADMINISTRATIVE SECTION

### ADMINISTRATION

This division is responsible for the operation and oversight of the Department and provides accounting, cash management, and investment services for the State. The Division's cash funds derive from the Treasury transaction fee imposed pursuant to Section 24-36-120 (1), C.R.S., and from the Unclaimed Property Trust Fund.

ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$3,108,109	\$1,435,248	\$1,672,861	\$0	\$0	17.4
SB 19-173	800,000	800,000	0	0	0	0.0
<b>TOTAL</b>	<b>\$3,908,109</b>	<b>\$2,235,248</b>	<b>\$1,672,861</b>	<b>\$0</b>	<b>\$0</b>	<b>17.4</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$3,908,109	\$2,235,248	\$1,672,861	\$0	\$0	17.4
Centrally appropriated line items	161,301	(9,322)	170,623	0	0	0.0
Annualize prior year legislation and budget actions	(816,978)	(791,110)	(25,868)	0	0	0.0
<b>HB 20-1360</b>	<b>\$3,252,432</b>	<b>\$1,434,816</b>	<b>\$1,817,616</b>	<b>\$0</b>	<b>\$0</b>	<b>17.4</b>
SB 20-200	1,197,552	1,197,552	0	0	0	5.0
HB 20-1379	(49,947)	(31,876)	(18,071)	0	0	0.0
<b>TOTAL</b>	<b>\$4,400,037</b>	<b>\$2,600,492</b>	<b>\$1,799,545</b>	<b>\$0</b>	<b>\$0</b>	<b>22.4</b>
<b>INCREASE/(DECREASE)</b>	\$491,928	\$365,244	\$126,684	\$0	\$0	5.0
Percentage Change	12.6%	16.3%	7.6%	n/a	n/a	28.7%

### FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes the following adjustments to centrally appropriated line items:

CENTRALLY APPROPRIATED LINE ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
CORE	\$184,877	\$83,194	\$101,683	\$0	\$0	0.0
Legal services	51,729	2,631	49,098	0	0	0.0
AED	8,120	5,923	2,197	0	0	0.0
SAED	8,120	5,923	2,197	0	0	0.0
Capitol Complex leased space	5,552	5,552	0	0	0	0.0
Payments to OIT	3,813	1,907	1,906	0	0	0.0
Short-term disability	80	76	4	0	0	0.0
Salary survey	0	0	0	0	0	0.0
NP1 OIT FY21 Budget request package	0	0	0	0	0	0.0
HLD decrease in lieu of personal services base reduction for budget balancing	(77,812)	(77,812)	0	0	0	0.0
Health, life, and dental	(20,067)	(34,809)	14,742	0	0	0.0
PERA Direct Distribution	(2,334)	(1,130)	(1,204)	0	0	0.0
Workers' compensation	(777)	(777)	0	0	0	0.0
<b>TOTAL</b>	<b>\$161,301</b>	<b>(\$9,322)</b>	<b>\$170,623</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS AND LEGISLATION:** The appropriation includes the following adjustments for the out-year impact of prior year legislation and budget actions:

ANNUALIZE PRIOR YEAR LEGISLATION AND BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
SB 18-200 PERA Unfunded Liability	\$8,890	\$8,890	\$0	\$0	\$0	0.0
SB 19-173 CO Secure Savings Plan Board	(800,000)	(800,000)	0	0	0	0.0
FY 19-20 Salary survey	(25,868)	0	(25,868)	0	0	0.0
<b>TOTAL</b>	<b>(\$816,978)</b>	<b>(\$791,110)</b>	<b>(\$25,868)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

## UNCLAIMED PROPERTY PROGRAM

Pursuant to the Unclaimed Property Act, the State takes possession of dormant properties held by a wide range of institutions and attempts to return the properties to their rightful owners. The Department deposits recovered money in the Unclaimed Property Trust Fund (UPTF), using the principal and interest to pay claims as well as the costs of operating the program. The remaining principal and interest earnings in the fund support the Medicaid Adult Dental Program and provide a reserve against future unclaimed property claims. The Department holds recovered securities for at least a year and then sells those that have not been returned, depositing sales proceeds in the Unclaimed Property Tourism Promotion Trust Fund (UPTPTF). The State uses the interest earned on the UPTPTF fund to promote economic development, agri-tourism, and the State Fair. The cash funds source for appropriations in this division is the Unclaimed Property Trust Fund.

UNCLAIMED PROPERTY PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2019-20 APPROPRIATION:						
SB 19-207	\$2,315,826	\$0	\$2,315,826	\$0	\$0	15.5
HB 20-1258	43,920	0	43,920	0	0	0.0
<b>TOTAL</b>	<b>\$2,359,746</b>	<b>\$0</b>	<b>\$2,359,746</b>	<b>\$0</b>	<b>\$0</b>	<b>15.5</b>
FY 2020-21 APPROPRIATION:						
FY 2019-20 Appropriation	\$2,359,746	\$0	\$2,359,746	\$0	\$0	15.5
Unclaimed property increased workload costs	87,500	0	87,500	0	0	0.0
Unclaimed property technology upgrades	46,000	0	46,000	0	0	0.0
Centrally appropriated line items	1,733	0	1,733	0	0	0.0
Annualize prior year legislation and budget actions	(13,012)	0	(13,012)	0	0	0.0
<b>HB 20-1360</b>	<b>\$2,481,967</b>	<b>\$0</b>	<b>\$2,481,967</b>	<b>\$0</b>	<b>\$0</b>	<b>15.5</b>
<b>TOTAL</b>	<b>\$2,481,967</b>	<b>\$0</b>	<b>\$2,481,967</b>	<b>\$0</b>	<b>\$0</b>	<b>15.5</b>
<b>INCREASE/(DECREASE)</b>	<b>\$122,221</b>	<b>\$0</b>	<b>\$122,221</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	5.2%	n/a	5.2%	n/a	n/a	0.0%

## FY 2019-20 APPROPRIATION – MID-YEAR ADJUSTMENTS

House Bill 20-1258 modifies the FY 2019-20 appropriation to increase cash fund appropriations by \$43,920 from the Unclaimed Property Trust Fund to pay for technology upgrades.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**UNCLAIMED PROPERTY INCREASED WORKLOAD COSTS:** The appropriation includes an increase of \$87,500 cash funds from the Unclaimed Property Trust Fund, including \$80,000 for printing and postage related to the implementation of S.B. 19-088 (Revised Uniform Unclaimed Property Act), as well as recommendations included in

the July 2019, Division of Unclaimed Property performance audit by the Office of the State Auditor. The remaining \$7,500 is for a one-time auction to substantially reduce the existing tangible property inventory.

**UNCLAIMED PROPERTY TECHNOLOGY UPGRADES:** The appropriation includes an increase of \$46,000 cash funds from the Unclaimed Property Trust Fund for an upgrade for the KAPS unclaimed property administration system to provide for the purchase of Onbase, an imaging system that will create a seamless, paperless IT system and process, and Lexis/Nexis services to process small value claims.

**CENTRALLY APPROPRIATED LINE ITEMS:** The appropriation includes an adjustment to centrally appropriated line items for leased space.

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS AND LEGISLATION:** The appropriation includes the following adjustments for the out-year impact of prior year legislation and budget actions:

ANNUALIZE PRIOR YEAR LEGISLATION AND BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 19-20 Salary survey	\$25,868	\$0	\$25,868	\$0	\$0	0.0
SB 18-200 PERA Unfunded Liability	5,040	0	5,040	0	0	0.0
HB 20-1258 Supplemental	(43,920)	0	(43,920)	0	0	0.0
<b>TOTAL</b>	<b>(\$13,012)</b>	<b>\$0</b>	<b>(\$13,012)</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

## SPECIAL PURPOSE

This section of the Long Bill reflects various disbursements and transfers the Treasurer is required to make, including the following: (1) reimbursements to local governments for property tax revenues foregone due to the senior citizen and disabled veteran property tax exemption; (2) allocations of Highway Users Tax Fund (HUTF) revenues to local governments; and (3) property tax reimbursements for real or business property listed on a single schedule that was destroyed by a natural cause. The General Fund appropriation for the senior citizen property tax exemption is not subject to the statutory restrictions on General Fund appropriations. The source of cash funds is the Highway Users Tax Fund.

SPECIAL PURPOSE						
	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 APPROPRIATION:</b>						
SB 19-207	\$855,470,948	\$337,040,247	\$444,525,352	\$73,905,349	\$0	0.0
HB 20-1360	(16,500,000)	(16,500,000)	0	0	0	0.0
<b>TOTAL</b>	<b>\$838,970,948</b>	<b>\$320,540,247</b>	<b>\$444,525,352</b>	<b>\$73,905,349</b>	<b>\$0</b>	<b>0.0</b>
<b>FY 2020-21 APPROPRIATION:</b>						
FY 2019-20 Appropriation	\$838,970,948	\$320,540,247	\$444,525,352	\$73,905,349	\$0	0.0
Revenue forecast and pass-through adjustments	18,609,479	25,294,407	(4,263,417)	(2,421,511)	0	0.0
Annualize prior year legislation and budget actions	16,000,000	16,000,000	0	0	0	0.0
Property Tax Reimbursement for Property Destroyed by Natural Cause	(2,196,828)	(2,196,828)	0	0	0	0.0
<b>HB 20-1360</b>	<b>\$871,383,599</b>	<b>\$359,637,826</b>	<b>\$440,261,935</b>	<b>\$71,483,838</b>	<b>\$0</b>	<b>0.0</b>
HB 20-1376	0	(12,000,000)	12,000,000	0	0	0.0
HB 20-1379	(225,000,000)	(170,949,406)	0	(54,050,594)	0	0.0
<b>TOTAL</b>	<b>\$646,383,599</b>	<b>\$176,688,420</b>	<b>\$452,261,935</b>	<b>\$17,433,244</b>	<b>\$0</b>	<b>0.0</b>
<b>INCREASE/(DECREASE)</b>	<b>(\$192,587,349)</b>	<b>(\$143,851,827)</b>	<b>\$7,736,583</b>	<b>(\$56,472,105)</b>	<b>\$0</b>	<b>0.0</b>
Percentage Change	(23.0%)	(44.9%)	1.7%	(76.4%)	n/a	n/a

<sup>1</sup> Includes \$140,789,518 in FY 2019-20 and \$163,663,420 in FY 2020-21 that is not subject to the statutory restriction on state General Fund appropriations imposed by Section 24-75-201.1, C.R.S.

## FY 2019-20 APPROPRIATION – MID-YEAR ADJUSTMENTS

House Bill 20-1360 (Long Bill) modifies FY 2019-20 appropriations to decrease General Fund appropriations by \$16.5 million General Fund for anticipated reversions from S.B. 17-267 Collateralization Lease Purchase Payments for FY 2019-20, for budget balancing purposes.

## FY 2020-21 APPROPRIATION – H.B. 20-1360 (LONG BILL) ISSUE DESCRIPTIONS

**REVENUE FORECAST AND PASS-THROUGH ADJUSTMENTS:** The appropriation includes an increase of \$18.6 million total funds, including an increase of \$25.3 million General Fund, for revenue forecast, statutory, and other technical adjustments as follow:

REVENUE FORECAST AND PASS-THROUGH ADJUSTMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Homestead exemption forecast adjustment	\$22,873,902	\$22,873,902	\$0	\$0	\$0	0.0
PERA Direct Distribution Statewide Adjustment	0	2,420,505	0	(2,420,505)	0	0.0
HUTF forecast adjustment	(4,263,417)	0	(4,263,417)	0	0	0.0
Lease purchase adjustment	(1,006)	0	0	(1,006)	0	0.0
<b>TOTAL</b>	<b>\$18,609,479</b>	<b>\$25,294,407</b>	<b>(\$4,263,417)</b>	<b>(\$2,421,511)</b>	<b>\$0</b>	<b>0.0</b>

**ANNUALIZE PRIOR YEAR BUDGET ACTIONS AND LEGISLATION:** The appropriation includes the following adjustments for the out-year impact of prior year legislation and budget actions:

ANNUALIZE PRIOR YEAR LEGISLATION AND BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 20-1360 Long Bill supplemental	\$16,500,000	\$16,500,000	\$0	\$0	\$0	0.0
SB 17-267 Sustainability of Rural CO	(500,000)	(500,000)	0	0	0	0.0
<b>TOTAL</b>	<b>\$16,000,000</b>	<b>\$16,000,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0</b>

**PROPERTY TAX REIMBURSEMENT FOR PROPERTY DESTROYED BY NATURAL CAUSE:** The appropriation includes a decrease of \$2.2 million General Fund. This decrease provides an ongoing, nominal appropriation of \$25,000 which will be increased through supplemental appropriations as necessary to fund this item.

**ADDITIONAL LEGISLATION:** For information on additional legislation, see *Appendix A, Recent Legislation*.

# Details

## CAPITAL CONSTRUCTION

### FY 2019-20 AND FY 2020-21 APPROPRIATIONS BY DEPARTMENT AND BILL

CAPITAL CONSTRUCTION						
	TOTAL FUNDS	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
<b>FY 2019-20 TOTAL APPROPRIATION:</b>	<b>\$392,809,477</b>	<b>\$185,066,899</b>	<b>\$184,234,179</b>	<b>\$8,911,836</b>	<b>\$14,596,563</b>	<b>0.0</b>
BREAKDOWN OF TOTAL APPROPRIATION BY DEPARTMENT						
Agriculture	1,527,448	1,527,448	0	0	0	0.0
Corrections	10,950,066	10,950,066	0	0	0	0.0
Education	972,421	972,421	0	0	0	0.0
Governor	25,413,627	16,501,791	0	8,911,836	0	0.0
Health Care Policy and Financing	11,408,333	1,140,833	0	0	10,267,500	0.0
Higher Education	261,373,723	97,460,067	163,913,656	0	0	0.0
Human Services	40,055,704	34,265,447	1,858,564	0	3,931,693	0.0
Labor and Employment	2,785,277	0	2,785,277	0	0	0.0
Military and Veterans Affairs	3,462,130	3,064,760	0	0	397,370	0.0
Natural Resources	13,158,090	0	13,158,090	0	0	0.0
Personnel	14,540,064	12,934,454	1,605,610	0	0	0.0
Public Health and Environment	3,734,488	2,821,506	912,982	0	0	0.0
Public Safety	2,928,106	2,928,106	0	0	0	0.0
Transportation	500,000	500,000	0	0	0	0.0
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
SB 19-207	\$260,727,454	\$168,460,533	\$72,690,215	\$8,911,836	\$10,664,870	0.0
SB 19-172	0	0	0	0	0	0.0
HB 20-1259	132,082,023	16,606,366	111,543,964	0	3,931,693	0.0
<b>FY 2020-21 TOTAL APPROPRIATION:</b>	<b>\$163,907,592</b>	<b>\$52,988,768</b>	<b>\$75,421,368</b>	<b>\$0</b>	<b>\$35,497,456</b>	<b>0.0</b>
BREAKDOWN OF TOTAL APPROPRIATION BY DEPARTMENT						
Agriculture	739,797	739,797	0	0	0	0.0
Corrections	2,779,460	2,779,460	0	0	0	0.0
Governor	4,450,000	445,000	0	0	4,005,000	0.0
Higher Education	76,780,804	32,378,189	44,402,615	0	0	0.0
Human Services	4,868,903	1,913,089	2,955,814	0	0	0.0
Local Affairs	1,099,456	1,099,456	0	0	0	0.0
Natural Resources	21,869,600	1,000,000	20,869,600	0	0	0.0
Personnel	11,308,240	11,308,240	0	0	0	0.0
Public Health and Environment	36,575,000	0	5,082,544	0	31,492,456	0.0
Public Safety	2,936,332	825,537	2,110,795	0	0	0.0
Transportation	500,000	500,000	0	0	0	0.0
BREAKDOWN OF TOTAL APPROPRIATION BY BILL						
HB 20-1360	\$113,860,792	\$2,988,768	\$75,374,568	\$0	\$35,497,456	0.0
SB 20-003	1,000,000	1,000,000	0	0	0	0.0
HB 20-1408	49,046,800	49,000,000	46,800	0	0	0.0
<b>INCREASE/(DECREASE)</b>	<b>(\$228,901,885)</b>	<b>(\$132,078,131)</b>	<b>(\$108,812,811)</b>	<b>(\$8,911,836)</b>	<b>\$20,900,893</b>	<b>0.0</b>
Percentage Change	(58.3%)	(71.4%)	(59.1%)	(100.0%)	143.2%	n/a



**INFORMATIONAL FUNDS:** The FY 2020-21 Long Bill and other legislation indicates when an amount is shown solely for informational purposes through an "(I)" notation. The following amounts in the capital construction section are annotated with the "(I)". For additional information, see Appendix K.

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
FY 2020-21 Appropriations containing an (I) notation	\$37,708,160	\$0	\$2,210,704	\$0	\$35,497,456

## APPROPRIATIONS AND TRANSFERS TO THE CAPITAL CONSTRUCTION FUND

The following table summarizes appropriations, adjustments, and transfers to or from the Capital Construction Fund that increase or decrease the balance available for building capital projects.

FY 2020-21 CAPITAL CONSTRUCTION FUND BALANCE AND GENERAL FUND TRANSFERS	
<b>CCF Beginning Balance - July 1, 2020</b>	<b>\$0</b>
CCF Reversions - FY 2018-19	6,579,641
CCF Interest - FY 2018-19 - actual, above estimated	462,453
CCF Interest - FY 2019-20 - estimated	2,300,000
H.B. 20-1378, Capital-related Transfers for FY19-20 from General Fund	1,397,624
H.B. 20-1259 FY 2019-20 (and prior) appropriations for building capital projects	(10,739,718)
<b>CCF Available Balance - FY 2020-21</b>	<b>\$0</b>
<b>FY 2020-21 Transfers to the CCF</b>	
H.B. 20-1378, Capital-related Transfers for FY 2020-21 from General Fund	\$2,043,768
H.B. 20-1378, Capital-related Transfers for FY 2020-21 from General Fund Exempt	500,000
S.B. 20-003 State Parks Improvement Appropriation from General Fund	1,000,000
H.B. 20-1377 Distribution of HB20-1377 Fund Controlled Maintenance Projects	49,000,000
<b>Subtotal - FY 2020-21 Transfers to the CCF</b>	<b>\$52,543,768</b>
<b>FY 2020-21 Appropriations from the CCF</b>	
H.B. 20-1360 Long Bill	(\$2,543,768)
S.B. 20-003 State Parks Improvement Appropriation	(1,000,000)
H.B. 20-1408 Distribution of HB20-1377 Capital Construction Fund Money	(49,000,000)
<b>Subtotal - FY 2020-21 Appropriations from the CCF</b>	<b>(\$52,543,768)</b>
<b>CCF Ending Balance - FY 2020-21</b>	<b>\$0</b>
<b>General Fund and General Fund Exempt transferred to the CCF for FY 2020-21</b>	<b>\$3,543,768</b>

## APPROPRIATIONS AND TRANSFERS TO THE IT CAPITAL ACCOUNT

The following table summarizes appropriations, adjustments, and transfers to or from the IT Capital Account (ITCA) in the Capital Construction Fund that increase or decrease the balance available for information technology projects.

FY 2020-21 IT CAPITAL ACCOUNT IN THE CCF - BALANCE AND GENERAL FUND TRANSFERS	
<b>ITCA Beginning Balance - July 1, 2020</b>	<b>\$0</b>
ITCA Reversions - FY 2018-19	18,948,209
ITCA Interest - FY 2018-19	2,186,500
H.B. 20-1261, Transfers to the ITCA for FY19-20 from General Fund	7,466,648
H.B. 20-1378, Capital-related Transfers for FY19-20 from ITCA to General Fund	(21,134,709)
H.B. 20-1259 FY 2019-20 appropriations for information technology projects	(7,466,648)
<b>ITCA Available Balance - FY 2020-21</b>	<b>\$0</b>
<b>FY 2020-21 Transfers to the CCF</b>	

FY 2020-21 IT CAPITAL ACCOUNT IN THE CCF - BALANCE AND GENERAL FUND TRANSFERS	
H.B. 20-1378, Capital-related Transfers for FY 2020-21 from General Fund	\$445,000
<b>Subtotal - FY 2020-21 Transfers to the CCF</b>	<b>\$445,000</b>
<b>FY 2020-21 Appropriations from the CCF</b>	
H.B. 20-1360 Long Bill	(\$445,000)
<b>Subtotal - FY 2020-21 Appropriations from the CCF</b>	<b>(\$445,000)</b>
<b>CCF Ending Balance - FY 2020-21</b>	<b>\$0</b>
<b>General Fund transferred to the ITCA for FY 2020-21</b>	<b>\$445,000</b>

## GENERAL FUND EXEMPT

Referendum C, passed by Colorado voters in November 2005, allows the State to retain and spend all revenue that is collected in excess of the TABOR limit for FY 2005-06 through FY 2009-10. For FY 2010-11 and subsequent fiscal years, Referendum C allows the State to retain all revenues that are in excess of the TABOR limit, but less than the excess state revenues cap, for that fiscal year. This revenue must be placed in the General Fund Exempt Account. The following table shows the amount of General Fund Exempt that is appropriated for FY 2018-19 and FY 2019-20 from the General Fund Exempt Account for strategic transportation projects pursuant to Section 24-77-103.6 (2)(d), C.R.S.

GENERAL FUND SUMMARY	TOTAL GENERAL FUND	GENERAL FUND	GENERAL FUND EXEMPT
FY 2019-20	\$185,066,899	\$184,566,899	\$500,000
FY 2020-21	\$52,988,768	\$52,488,768	\$500,000

# APPENDICES

# A. RECENT LEGISLATION

## 2020 SESSION BILLS

### **S.B. 20-003 STATE PARKS IMPROVEMENT APPROPRIATION**

Provides \$1.0 million to the Department of Natural Resources for infrastructure projects at the new Fishers Peak State Park. For FY 2020-21, reduces appropriations by \$1.0 million General Fund to the Governor's Office of Information Technology; transfers \$1.0 million General Fund to the Capital Construction Fund; and appropriates \$1.0 million Capital Construction Fund to the Department of Natural Resources.

### **S.B. 20-006 AMEND COLORADO OPPORTUNITY SCHOLARSHIP INITIATIVE**

Modifies the Colorado Opportunity Scholarship Initiative in the Department of Higher Education, including changes to increase flexibility in how program funds are used. Among other changes, removes restrictions on the share of funds that may be used for student support services (as opposed to student scholarships) and the share of funds that must be awarded to nongovernmental entities (as opposed to government agencies). Also modifies provisions related to administrative expenditures. Under prior law, no more than 3.0 percent of money in the Colorado Opportunity Scholarship Initiative Fund could be used for administrative overhead. The bill changes the calculation to be 7.5 percent of the expenditures from the fund in the prior year and allows a higher figure if authorized by Long Bill footnote.

### **S.B. 20-028 SUBSTANCE USE DISORDER RECOVERY**

Modifies the definition of "child abuse or neglect" in regards to substance exposure and continues the Opioid and Other Substance Use Disorders Committee. Requires the state substance abuse trend and response task force to convene stakeholders for the purpose of generating policy recommendations related to opioid and other substance use disorders and reviewing progress on bills introduced by the committee and passed by the General Assembly. Authorizes the statewide perinatal substance use data linkage project to conduct ongoing research related to the incidence of perinatal substance exposure or related infant and family health and human service outcomes based on the new standards for determining child abuse, neglect, or dependency when alcohol or substance exposure is involved. For FY 2020-21, appropriates \$74,620 General Fund to the Department of Human Services and \$74,620 reappropriated funds to the Department of Law for the purchase of legal services. Reduces \$74,620 General Fund to the Governor's Office of Information Technology (OIT) for applications administration.

### **S.B. 20-029 COST OF LIVING ADJUSTMENT FOR CO WORKS PROGRAM**

Provides each household in the Colorado Works program with a one-time supplemental payment of \$500. Appropriates \$8,424,500 federal funds from the Temporary Assistance for Needy Families block grant in FY 2020-21 to the Department of Human Services.

### **S.B. 20-030 CONSUMER PROTECTIONS FOR UTILITY CUSTOMERS**

Requires the Public Utilities Commission to collect and report information on utility customers who receive medical exemptions from tiered electricity rates. Requires the adoption of new rules around utility disconnection because of nonpayment and that all changes in billing methodology be revenue neutral. Appropriates \$16,545 cash funds and 0.2 FTE to the Department of Regulatory Agencies for FY 2020-21.

### **S.B. 20-033 ALLOW MEDICAID BUY-IN PROGRAM AFTER AGE 65**

Requires the Department of Health Care Policy and Financing to seek federal approval to expand eligibility for the Medicaid buy-in program to include people 65 or older. Provides \$100,000 to the Department of Health Care Policy and Financing in FY 2020-21, including \$50,000 General Fund and \$50,000 federal funds.

**S.B. 20-035 KIOSK PROGRAM PROVIDER VEHICLE & IDENTITY SERVICES**

Under preexisting law, a county clerk may conduct a pilot kiosk program using private providers to issue driver's licenses, register motor vehicles, or issue certificates of title. This bill eliminates the program's pilot status, and converts it to a regular program, expands the services the program may provide, eliminates the convenience fee cap, and adds data security and accessibility requirements to the program. Appropriates \$112,500 cash funds from the Colorado DRIVES Vehicle Services Account in the Highway Users Tax Fund for IT programming for the DRIVES system for FY 2020-21.

**S.B. 20-055 INCENTIVIZE DEVELOPMENT RECYCLING END MARKETS**

Requires the Pollution Prevention Advisory Board within the Department of Public Health and Environment to develop a structure and governance recommendation for a recycling market development center. Provides for property tax reimbursements for recyclers. Requires the Department to develop a recycling study and a statewide recycling education campaign. Appropriates \$985,283 cash funds and 2.1 FTE to the Department of Public Health and Environment in FY 2020-21.

**S.B. 20-056 SURPLUS MILITARY VEHICLES HIGHWAY USE IF FIREFIGHTING**

Exempts surplus military vehicles used by local governments and fire protection districts for fire protection purposes from the definition of an off-highway vehicle. Appropriates \$3,375 cash funds to the Department of Revenue to update the Colorado DRIVES Vehicle Services Account.

**S.B. 20-057 FIRE PREVENTION & CONTROL EMPLOYEE BENEFITS**

Requires the Division of Fire Prevention and Control in the Department of Public Safety to provide additional employee benefits to its firefighters and support staff, including insurance for certain heart conditions and cancers, as well as an increased pension benefit. For FY 2020-21, appropriates \$977 General Fund and \$977 federal funds to the Department of Health Care Policy and Financing, a total of \$4,151 to the Colorado Department of Public Health and Environment, and a total of \$26,749 to the Department of Public Safety.

**S.B. 20-091 MINIMUM PAY FOR STATE MILITARY FORCES**

Under current law, the Governor may activate Colorado National Guard units for state active duty to protect life and property during natural disasters and civil emergencies. A guard member's pay rate during the emergency is determined by the member's rank and years of service; however, the minimum pay for a guard member called to emergency service is \$20 per day. This bill sets the minimum pay for a member to be equivalent to the pay rate of an enlisted person holding the rank of E-4 with over six years of service. The daily pay rate for an enlisted person holding the rank of E-4 with six years of service is estimated at \$88.80. The bill conditionally increases state expenditures whenever the Governor orders members of the National Guard into emergency service.

**S.B. 20-095 MIDDLE SCHOOL STUDENTS CONCURRENT ENROLLMENT INFO**

Requires the community college system in the Department of Higher Education to distribute information on concurrent enrollment to middle school students. Increases state expenditures and school district workload on an ongoing basis beginning in FY 2021-22 and will require a General Fund appropriation of \$40,000 in FY 2021-22 and \$150,000 in FY 2022-23 for the Colorado Community College System.

**S.B. 20-096 REMOTE NOTARIES PROTECT PRIVACY**

Authorizes a notary public to perform a notarial act on behalf of an individual who is not in the notary's physical presence, but only with respect to an electronic document. Clarifies statutory authority concerning temporary rules adopted by the Secretary of State for the period March 2020 through December 2020, and establishes a permanent statutory framework beginning January 2021. Appropriates \$132,795 cash funds from the Department of State Cash Fund to the Department of State for FY 2020-21.

**S.B. 20-118 HAZMAT TRANSPORT PERMIT ISSUANCE**

Transfers the issuance of permits for the transportation of hazardous materials by motor vehicles from the Public Utilities Commission to the Colorado Department of Transportation (CDOT). Permit fees and fee revenue are unchanged but the revenue is redirected to CDOT. For FY 2020-21, reduces cash fund appropriations to the Department of Regulatory Agencies by \$20,918 and 0.5 FTE. Increases FY 2020-21 expenditures for the Department of Transportation by \$37,028 cash funds from the State Highway Fund but no appropriation is required because the State Highway Fund is continuously appropriated.

**S.B. 20-158 PROFESSIONAL TRAINING FOR EDUCATORS**

Makes changes to programs in the Department of Higher Education intended to increase the number of educators in the state and the process for review and approval of educator preparation programs. Among other changes, modifies the allocation of funds among several programs intended to increase the supply of rural educators. Specifies that after fully funding rural teacher fellowship stipends (which must be matched by higher education institutions) funds available for rural educator programs will be allocated as follows: 25 percent for stipends for student teachers who commit to working in a rural area, 25 percent for stipends for rural teachers pursuing national certification, concurrent enrollment certification, an additional teaching endorsement or a master's degree to meet a faculty need, and 50 percent for stipends for rural teachers pursuing alternative licensure. Allows amounts for rural teacher fellowship stipends appropriated in FY 2018-19 and FY 2019-20 to be rolled forward and used for a broader array of rural educator programs in FY 2020-21 but eliminates statutory roll forwards thereafter.

**S.B. 20-162 CHANGES RELATED TO FEDERAL FAMILY FIRST POLICY**

Makes statutory changes concerning the child welfare system to align state law with the federal Family First Prevention Services Act of 2018. For FY 2020-21, includes appropriations to the following departments:

- Department of Human Services
  - Reduces General Fund appropriations by \$389,760; and
  - Increases reappropriated funds appropriations by \$936,412 and 1.7 FTE, and is based on the assumption that the Department will receive \$91,039 in federal funds.
- Judicial Department
  - Increases General Fund appropriations to the Office of the Child's Representative by \$211,200; and
  - Increase General Fund appropriations to the Office of the Respondent Parents' Counsel by \$178,560.
- Increase reappropriated funds appropriations to the Office of the Governor by \$242,250.
- Increase reappropriated funds appropriations to the Department of Law by \$38,376 and 0.2 FTE.

**S.B. 20-163 SCHOOL ENTRY IMMUNIZATION**

Allows students to attend school after completion of an online education module by their parent or guardian that lists the benefits and risks of immunizations. Defines non-medical exemptions as those based on a religious belief whose teachings are opposed to immunizations or a personal belief that is opposed to immunizations. Requires that the Department of Public Health and Environment collect data and report on Measles, Mumps and Rubella (MMR) vaccination rates. Appropriates \$41,906 General Fund and 0.1 FTE to the Department of Public Health and Environment, and \$10,022 reappropriated funds to the Governor's Office of Information Technology.

**S.B. 20-170 UPDATE COLORADO EMPLOYMENT SECURITY ACT**

Amends unemployment insurance statutes to eliminate the documentation requirement for workers separating from employment because of domestic violence, expands the definition of immediate family, and make other technical adjustments. Expected to increase unemployment insurance benefits paid by up to \$1.5 million in FY 2020-21 and \$3.0 million in FY 2021-22. Benefit payments are not subject to appropriation or reflected in the state budget.

**S.B. 20-186 COLORADO REDISTRICTING COMMISSIONS**

Makes statutory changes concerning congressional and legislative redistricting to conform to constitutional changes approved by voters in 2018 (Amendments Y and Z). Transfers a total of \$2,000,000 from the Legislative Department Cash Fund into two newly created accounts within the Fund: the Congressional Redistricting Account

and the Legislative Redistricting Account. Each account receives \$1,000,000 from the transfer, and money in each account is continuously appropriated for statutorily authorized purposes. Any money remaining in the accounts after June 30, 2022 will revert to the Fund.

#### **S.B. 20-197 ALIGNING STATE AND FEDERAL LAW ON HEMP**

Aligns Colorado statutes on hemp with federal law, including adopting federal definitions. For FY 2020-21, appropriates \$55,620 cash funds from the Investigation Identification Unit Fund and 0.3 FTE to the Colorado Bureau of Investigation in the Department of Public Safety.

#### **S.B. 20-200 IMPLEMENTATION OF CO SECURE SAVINGS PROGRAM**

Directs the Colorado Secure Savings Program Board in the Office of the State Treasurer to create and implement the Colorado Secure Savings Program, a state-facilitated automatic enrollment IRA program for Colorado workers whose employers do not provide such a program. Creates the Colorado Secure Savings Program Fund as a continuously appropriated cash fund. Includes appropriations as follows:

- Reduces the FY 2020-21 appropriation to the Governor's Office of Information Technology (OIT) for Applications Administration by \$1,197,552 General Fund;
- Provides a two-year appropriation for FY 2020-21 through FY 2021-22 for the Department of the Treasury of \$1,197,552 General Fund for the Colorado Secure Savings Program and 5.0 FTE; and
- Provides an appropriation of \$63,960 reappropriated funds to the Department of Law to provide legal services and 0.3 FTE.

#### **S.B. 20-204 ADDITIONAL RESOURCES TO PROTECT AIR QUALITY**

Creates the TABOR-exempt Air Quality Enterprise in the Department of Public Health and Environment to conduct air quality modeling, monitoring, assessment, data analysis, and research, and to provide its data to fee payers and state regulators. Increases revenue to the Department from emissions fees to provide additional funding for air quality control programs. Appropriates \$10,660 General Fund to the Department of Public Health and Environment for the purchase of legal services and provides an appropriation of \$10,660 reappropriated funds in the Department of Law.

#### **S.B. 20-205 SICK LEAVE FOR EMPLOYEES**

Creates the Healthy Families and Workplace Act and requires that employers provide paid sick leave to each employee. Effective January 1, 2021, this applies to each employer with 16 or more employees; effective January 1, 2022, this applies to all employers. Employers must provide one hour of paid sick leave for every 30 hours worked, up to a maximum of 48 hours per year. Requires additional paid sick leave during a public health emergency. Appropriates \$206,566 General Fund and 2.7 FTE to the Department for FY 2020-21 for labor standards program costs. The FY 2021-22 cost is estimated to be \$298,196 General Fund and 3.5 FTE, including an estimated \$56,337 in centrally appropriated amounts.

#### **S.B. 20-207 UNEMPLOYMENT INSURANCE**

Amends employee benefits and employer payments for unemployment insurance and makes other changes to unemployment insurance programs. Significant changes include the following:

- *Employer Payments*
  - *Chargeable Wage Base.* Beginning in CY 2022, increases employer payments for unemployment insurance by increasing the maximum employee earnings that are used for calculating premiums (the chargeable wage base). For CY 2021 holds the chargeable wage base at \$13,600 (unchanged from CY 2020). Increases the chargeable wage base to \$17,000 in CY 2022, \$20,400 in CY 2023, \$23,800 in CY 2024, \$27,200 in CY 2025, and \$30,600 in CY 2026. Thereafter, the wage base is increased by the change in average weekly earnings.
  - *Solvency Surcharge.* Prohibits the division from assessing a solvency surcharge on employers for the calendar years 2021 and 2022, thereby reducing amounts that will be deposited to the Unemployment Insurance Trust Fund.

- *Impact on Unemployment Insurance Trust Fund.* Preliminary estimates indicate that these changes will somewhat worsen the insolvency of the Unemployment Insurance Trust Fund (UITF) in CY 2021 and CY 2022 and will improve solvency thereafter. Assuming a weak recovery, initial Department estimates indicate that at the end of CY 2022 the change will leave the UITF with a negative \$2.9 billion balance, rather than the negative \$2.7 billion balance projected under current law. However, by the end of CY 2023, the changes will begin to have a positive impact on the fund balance. By the end of CY 2026, the changes are expected to increase annual revenue to the UITF by \$1.7 to \$1.9 billion compared to current law. The change is expected to return the UITF to solvency in CY 2026 assuming even a moderate economic recovery, while under current law the UITF is not expected to be solvent in 2026 even under strong economic conditions.
- *Amount a person may earn while receiving benefits.* Current law requires the weekly total and partial unemployment benefit amounts to be reduced by the amount of an individual's wages that exceeds 25% of the weekly benefit amount. For the next 2 calendar years only, changes the deduction amount to the amount of an individual's wages that exceeds 50% of the weekly benefit amount. This component will increase unemployment insurance benefits paid on an ongoing basis beginning in FY 2020-21 by an estimated \$18.0 million.
- *Employment Support Fund.* Removes the cap on the amount of money that can be paid into and remain in the Employment Support Fund. This fund derives from a portion of unemployment insurance premiums and is subject to appropriation by the General Assembly for specified department administrative functions. Previously, amounts above the cap were required to be transferred to the Unemployment Insurance Trust Fund. (No such transfers had occurred as of the bill's enactment, but they could have occurred in future years.)
- *Work share plans.* Current law authorizes the division to approve a work share plan submitted by an employer if the employee's normal weekly work hours have been reduced by at least 10% but not more than 40%. The act changes the amount that hours may be reduced to an amount consistent with rules adopted by the division and federal law. This is expected to increase in the use of workshare plans and reduce benefit payments by an amount that has not been estimated.
- *Public health emergency.* Requires the Division of Unemployment Insurance and the Department to consider various factors related to the public health emergency when determining whether an individual qualifies for unemployment insurance benefits. The fiscal impact for this change, if any, has not been determined.
- *Use of federal CARES Act funds.* Requires the state treasurer to transfer any unexpended federal funds received by the state from the federal Coronavirus Relief Fund, created in the federal CARES Act of 2020, to the Unemployment Insurance Trust Fund prior to the close of business on December 30, 2020. Any fiscal impact is contingent upon the status of Coronavirus Relief Fund expenditures as of December 30, 2020.
- *Study.* Requires the Office of Future of Work in the Department to study unemployment assistance as part of a study on the modernization of worker benefits and protections and report its findings to the Governor and the General Assembly by January 15, 2021. Associated costs are expected to be absorbed within the Department's existing budget.

Although this legislation is expected to make significant changes to anticipated unemployment insurance revenues and expenditures, it does not include appropriations changes because unemployment insurance benefits payments are not subject to appropriation or included in the state budget.

#### **S.B. 20-212 REIMBURSEMENT FOR TELEHEALTH SERVICES**

Requires Medicaid to reimburse Federally Qualified Health Centers, Indian Health Services, and Rural Health Clinics for telemedicine at the same rates as comparable in-person face-to-face encounters. Expands the definition of telemedicine services reimbursed by Medicaid to include speech therapy, physical therapy, occupational therapy, hospice care, home health care, and pediatric behavioral healthcare. Prohibits state-regulated health insurance carriers from limiting telehealth based on the technology used by a provider, whether an individual has a previous relationship with the provider, or the provider's certification, location, or training. Allows supervision by telehealth for homecare agencies. Appropriates \$5,068,381 from the Care Subfund in the General Fund to the Department of Health Care Policy and Financing for FY 2020-21.



**S.B. 20-214 SUSPEND 2020 LEGISLATIVE INTERIM COMMITTEES**

Prohibits legislative interim committees from meeting, taking field trips, and making legislative recommendations during the 2020 interim. Reduces the General Fund appropriation to the Legislative Department for FY 2020-21 for the General Assembly by \$100,867. This is a budget balancing bill.

**S.B. 20-215 HEALTH INSURANCE AFFORDABILITY ENTERPRISE**

Refinances and extends the reinsurance program and adds new duties for the Health Insurance Affordability Enterprise. Allows the Enterprise to collect a fee from health insurance carriers. Eliminates previously scheduled statutory diversions from the General Fund of \$15.0 million in FY 2019-20 and \$40.0 million in FY 2020-21. Reduces hospital fees by \$40.0 million overall and changes the timing of the fees. Authorizes the Enterprise to make payments to increase the affordability of health insurance for tax credit recipients and qualified low-income individuals, and to perform outreach and education related to health care coverage. Establishes a cascading allocation of the revenue to the enterprise for these purposes. This is a budget balancing bill.

**S.B. 20-217 ENHANCE LAW ENFORCEMENT INTEGRITY**

Requires local law enforcement and the Colorado State Patrol to use body-worn cameras and release recordings to the public, and to conduct data reporting about certain incidents and contacts with the public. Requires the Division of Criminal Justice to post this reporting on its website and summarize it in an annual report. Requires the Peace Officer Standards and Training (POST) Board to revoke peace officer certification for certain violations. Prohibits state and local law enforcement from certain enforcement actions in response to public demonstrations. Removes immunity for local law enforcement peace officers and requires those agencies to indemnify officers acting in good faith. Limits the acceptable use of force by all peace officers and creates a duty to report excessive use of force. Permits the Attorney General to intervene in instance where a government authority engages in a pattern or practice that deprives persons of their constitutional rights. For FY 2020-21 appropriates \$617,478 cash funds from the Highway Users Tax Fund (HUTF) and 1.0 FTE to the Department of Public Safety and \$95,940 reappropriated funds and 0.5 FTE to the Department of Law. For FY 2021-22, costs increase to \$2.6 million total funds and 4.3 FTE for the Department of Public Safety.

**S.B. 20-218 HAZARDOUS SUBSTANCE RESPONSE**

Creates a new fee on fuel products, collected by the Department of Revenue, to fund a grant program and a takeback program for certain hazardous substances in the Department of Public Health and Environment. Twenty-five percent of the revenue, which is projected to equal \$6.3 million in FY 2020-21 and \$7.5 million in FY 2021-22, is directed to the Department of Transportation where the funds are continuously appropriated and will be used to enhance current activities related to the transportation of hazardous materials. Appropriates \$39,769 General Fund to the Department of Revenue and \$1,552,558 cash funds to the Department of Public Safety in FY 2020-21.

**S.B. 20-219 LEASE-PURCHASE ISSUANCE FOR CAPITAL CONSTRUCTION**

Requires the state treasurer to execute a lease-purchase agreement of up to \$65.5 million to fund the continuation of previously funded capital construction projects for institutions of higher education. Requires the Capital Development Committee to publish the list of projects to be funded by August 15, 2020. Requires any additional revenue received from the issuance to be credited to the State Architect's Emergency Controlled Maintenance Account. Specifies annual payments of no more than \$5.5 million to begin no earlier than July 1, 2022 (FY 2022-23). The bill does not make appropriations.

**S.B. 20-220 FREEZE MEMBER PER DIEM AMOUNT**

Suspends a scheduled increase in the per diem rate for members of the General Assembly who do not reside in the Denver metropolitan area. Fixes this per diem at \$219 for FY 2020-21 only. Reduces the General Fund appropriation to the Legislative Department for FY 2020-21 for the General Assembly by \$81,162. This is a budget balancing bill.

**S.B. 20-222 USE CARES ACT MONEY SMALL BUSINESS GRANTS**

Creates the Small Business COVID-19 grant program in the Colorado Office of Economic Development and International Trade (OEDIT) to assist small businesses facing economic hardship caused by the COVID-19 pandemic. The grant program is financed with \$20.0 million in federal Coronavirus Aid, Relief, and Economic Security (CARES) Act funding, which is appropriated from the CARE subfund from the General Fund. OEDIT is granted continuous spending authority in order to make grants through the Colorado Housing and Finance Authority (CHFA), and for program administration. Administrative overhead for OEDIT is limited to six tenths of one percent of total financing, or \$120,000.

**H.B. 20-1001 NICOTINE PRODUCT REGULATION**

Establishes statewide licensing and regulation of cigarettes, tobacco products, and nicotine products. Raises the minimum age of a person to whom products may be sold from 18 to 21 years and repeals the criminal penalty for purchasing or attempting to purchase the products as a minor. Appropriates \$45,414 cash funds from the Liquor Enforcement Division Cash Fund to the Department of Revenue for FY 2019-20, which amount is based on an assumption that the department will require an additional 0.5 FTE to implement the act. Appropriates \$2,391,262 from the Liquor Enforcement Division Cash Fund and a corresponding 18.9 FTE to the Department of Revenue for FY 2020-21. Reappropriates \$98,605 and 0.5 FTE to the Department of Law and \$69,450 to the Department of Personnel and Administration for FY 2020-21.

**H.B. 20-1002 COLLEGE CREDIT FOR WORK EXPERIENCE**

Requires the Department of Higher Education to conduct a study concerning awarding academic credit for prior learning within all state institutions of higher education and to implement a plan for determining and awarding academic credit for postsecondary education based on work-related experience. Requires institutions to accept and transfer academic credit awarded for work-related experience as courses with guaranteed-transfer designation or part of a statewide degree transfer agreement beginning no later than academic year 2022-23. However, the plan must not be created, adopted, or implemented unless sufficient money is available from gifts, grants, or donations to cover the costs of creating, adopting, and implementing a plan. It is anticipated that the Department must secure at least \$283,647 for FY 2021-22 and FY 2022-23 from private gifts, grants, or donations in order to implement the bill.

**H.B. 20-1003 RURAL JUMP START ZONE ACT MODIFICATIONS**

Extends the Rural Jump-Start program for an additional five years. Changes the competition clause to specify that a new business applying for the Rural Jump-Start program cannot compete with an existing business in the rural jump-start zone in which the new business will be located or in any distressed county that is contiguous to the zone. The prior competition clause included the entire state. The program provides tax benefits to approved businesses that locate inside a rural jump-start zone and establish a relationship with a state institution of higher education, junior college, or an area vocational school. A rural jump start zone is an area within the distressed county. To qualify, the business must be new to the state, hire at least five employees, and not directly compete with the core function of a business that is already operating in the distressed areas. Is expected to reduce General Fund revenue by \$164,500 in FY 2020-21 and by \$783,875 in FY 2021-22.

**H.B. 20-1019 PRISON POPULATION REDUCTION AND MANAGEMENT**

Opens the currently unoccupied Centennial South campus of the Centennial Correctional Facility for occupancy by up to 650 close custody inmates, which is the approximate capacity of two of the facility's three towers. Requires the Executive Director of the Department of Corrections to develop criteria for the placement of out-of-state

prisoners in private prisons in Colorado. Directs the Division of Local Government in the Department of Local Affairs to contract with a research and consulting entity to study future prison bed needs in Colorado. Adds to the list of achievements that allow an inmate to receive earned time. Amends the escape statutes to reduce the number of actions that can result in an escape conviction. Appropriates \$5,511,167 total funds to the Department of Corrections, comprised of \$5,450,197 General Fund and \$60,970 cash funds, to pay part of the cost of opening and operating Centennial South Correctional Facility. The remaining FY 2019-20 opening and operating costs are paid by H.B. 20-1243. Appropriates \$250,000 General Fund to the Department of Local Affairs for the required study.

#### **H.B. 20-1020 LONG-TERM LODGING SALES TAX EXEMPTION**

Limits the state sales tax exemption for long-term lodging to natural persons. It is anticipated to increase General Fund revenue by at least \$3.7 million in FY 2020-21 and by at least \$7.4 million in future years. The bill does not make appropriations.

#### **H.B. 20-1022 SALES AND USE TAX SIMPLIFICATION TASK FORCE**

Continues the Sales and Use Tax Simplification Task Force for five years, however eliminates activity of the Task Force during the 2020 interim. The bill does not make appropriations.

#### **H.B. 20-1026 CREATE TWENTY-THIRD JUDICIAL DISTRICT**

Removes Douglas, Elbert, and Lincoln counties from the 18<sup>th</sup> Judicial District effective January 7, 2025 and creates a 23<sup>rd</sup> Judicial District comprised of those counties. Has as estimated future General Fund fiscal impact for the Judicial Department of \$0.9 million in FY 2022-23, \$1.1 million in FY 2023-24, \$1.8 million and 12.1 FTE in FY 2024-25, and \$1.7 million and 14.5 FTE in FY 2025-26.

#### **H.B. 20-1061 HIV INFECTION PREVENTION MEDICATIONS**

Allows pharmacists to prescribe and dispense HIV medications in accordance with statewide drug therapy protocol. Requires health benefit plans to provide coverage prevention medication prescribed by a pharmacist. Appropriates \$13,347 cash funds from the Division of Insurance Cash Fund and 0.2 FTE to the Department of Regulatory Agencies. Reduces General Fund revenue by diverting insurance premium tax revenues that would otherwise be credited to the General Fund.

#### **H.B. 20-1095 LOCAL GOVERNMENTS WATER ELEMENTS IN MASTER PLANS**

Specifies that a local government master plan that contains a water supply element must include water conservation policies, to be determined by the local government, which may include goals specified in the state water plan and policies that require implementation of water conservation and other state water plan goals as a condition of development approvals. Authorizes the Department of Local Affairs to hire and employ a full-time employee to provide educational resources and assistance to local governments that include water conservation policies in their master plans. Appropriates \$26,215 General Fund to the Department of Local Affairs in FY 2020-21, which amount is based on an assumption that the department will require an additional 0.5 FTE to implement the act.

#### **H.B. 20-1116 PROCUREMENT TECHNICAL ASSISTANCE PROGRAM EXTENSION**

Extends the Procurement Technical Assistance Program, which contracts with the nonprofit Procurement Technical Assistance Center (PTAC) to provide assistance to small businesses in obtaining government contracts. This bill permits the Office of Economic Development and International Trade OEDIT to renew its contract, which is scheduled to expire in September 2020, for up to five years. For FY 2020-21 and FY 2021-22, transfers \$175,000 General Fund to the Procurement Technical Assistance Cash Fund, which is continuously appropriated for the purpose of the program.

#### **H.B. 20-1119 STATE GOV REGULATION OF PFAS**

Requires the Solid and Hazardous Waste Commission in the Department of Public Health and Environment to establish a certificate of registration for any facility or fire department that possess perfluoroalkyl and polyfluoroalkyl substances. Authorizes the Department to establish standards for drinking water, surface water, and

groundwater. Appropriates \$43,836 cash funds and 0.5 FTE to the Department of Public Health and Environment in FY 2020-21.

#### **H.B. 20-1135 REPLACE HIGH SCHOOL SOCIAL STUDIES ASSESSMENT**

Removes the statutory requirement to administer a statewide social studies assessment in high school. For FY 2020-21, reduces appropriations to the Department of Education by \$667,680 cash funds from the State Education Fund.

#### **H.B. 20-1153 COLORADO PARTNERSHIP FOR QUALITY JOBS AND SERVICES ACT**

Creates the Colorado Partnership for Quality Jobs and Services Act, which creates a collective bargaining system between covered state employees and the state's executive branch. Requires the state to notify covered employees that they can request that the state not share certain information with a certified employee organization by September 2020. The director of the Department of Personnel and Administration (DPA) and the Department of Labor and Employment must enforce certain aspects of the partnership agreement process, promulgate rules, and determine appropriate remedies to address violations under the bill. After the state and a certified employee organization reach a partnership agreement, the Governor must request sufficient appropriations as part of the initial supplemental budget request.

Increases state appropriations in various agencies by \$1,941,256 and 15.4 FTE in FY 2020-21 and \$6,575,426 and 46.6 FTE in FY 2021-22, summarized below. Note, the anticipated increase in FY 2021-22 does not include costs associated with implementing an agreement once initial negotiations are concluded.

SUMMARY OF H.B. 20-1153 APPROPRIATIONS		
DEPARTMENT	FY 2020-21	FY 2021-22
Department of Personnel	\$879,159	1,521,993
Department of Labor and Employment	412,584	667,744
Department of Law	197,445	648,148
Department of Corrections	118,646	1,131,051
Governor's Office	112,931	160,483
Department of Human Services	96,132	1,010,235
Department of Transportation	52,980	738,101
Department of Revenue	26,479	245,175
Department of Natural Resources	25,904	246,162
Department of Public Safety	18,996	206,334
<b>Total<sup>1</sup></b>	<b>\$1,941,256</b>	<b>\$6,575,426</b>
<b>Total FTE</b>	<b>15.4 FTE</b>	<b>46.6 FTE</b>
Funds Reappropriated from above to the <b>Department of Law</b> for the provision of legal services	\$954,305	\$2,273,372

<sup>1</sup>Appropriations are from the COVID Heroes Collaboration Fund except for those to the Department of Transportation, which are from the State Highway Fund.

#### **H.B. 20-1158 COVERAGE INFERTILITY DIAGNOSIS TREATMENT PRESERVE**

Requires that health plans regulated by the Division of Insurance provide coverage for the diagnosis and treatment of infertility and fertility preservation services. Restricts health plans ability to impose cost-sharing requirements or restrictions that are beyond those imposed on other medications or treatments in the plan. Contains a religious exemption clause for employers to opt out of the coverage. Appropriates \$3,337 cash funds from the Division of Insurance Cash Fund and 0.1 FTE to the Department of Regulatory Agencies. Reduces General Fund revenue by diverting insurance premium tax revenues that would otherwise be credited to the General Fund.

#### **H.B. 20-1197 2-1-1 STATEWIDE HUMAN SERVICES REFERRAL SYSTEM**

Requires the Colorado 2-1-1 Collaborative to provide necessary human services referral services related to the COVID-19 public health emergency and provides a \$500,000 grant to the collaborative. For FY 2019-20, appropriates \$500,000 from the CARE subfund in the General Fund to the Department of Human Services.

**H.B. 20-1209 SUNSET NURSE-ADVISORY TASK FORCE**

Extends the Nurse-Physician Task Force for Colorado Health Care until September 1, 2027. The Task Force was previously scheduled for repeal on September 1, 2020. Requires that the three members recommended by a statewide physician's organization must be licensed physicians, and that the recommending physician's organization must represent multi-specialty physicians whose membership includes at least one-third of the doctors of medicine and osteopathy licensed in the state. Appropriates \$15,554 cash funds and 0.2 FTE to the Department of Regulatory Agencies.

**H.B. 20-1215 SUNSET WATER WASTEWATER FACILITY OPERATORS CERTIFICATION BOARD**

Implements the recommendations of the sunset review of the Water and Wastewater Facility Operators Certification Board in the Department of Public Health and Environment, including continuing the board through September 1, 2031. Creates the Water and Wastewater Facility Operators Fund and diverts \$5.00 per certification from the General Fund to the new cash fund. Appropriates \$24,815 cash funds to the Department of Public Health and Environment in FY 2020-21.

**H.B. 20-1242 AGRICULTURE SUPPLEMENTAL APPROPRIATION BILL**

Modifies FY 2019-20 appropriations to the Department of Agriculture.

**H.B. 20-1243 CORRECTIONS SUPPLEMENTAL APPROPRIATION BILL**

Modifies FY 2019-20 appropriations to the Department of Corrections.

**H.B. 20-1244 EDUCATION SUPPLEMENTAL APPROPRIATION BILL**

Modifies FY 2019-20 appropriations to the Department of Education.

**H.B. 20-1245 GOVERNOR SUPPLEMENTAL APPROPRIATION BILL**

Modifies FY 2019-20 appropriations to the Office of the Governor.

**H.B. 20-1246 HEALTH CARE POLICY AND FINANCING SUPPLEMENTAL APPROPRIATION BILL**

Modifies FY 2018-19 and FY 2019-20 appropriations to the Department of Health Care Policy and Financing.

**H.B. 20-1247 HIGHER EDUCATION SUPPLEMENTAL APPROPRIATION BILL**

Modifies FY 2019-20 appropriations to the Department of Higher Education.

**H.B. 20-1248 HUMAN SERVICES SUPPLEMENTAL APPROPRIATIONS BILL**

Modifies FY 2019-20 appropriations to the Department of Human Services.

**H.B. 20-1249 JUDICIAL SUPPLEMENTAL APPROPRIATION BILL**

Modifies FY 2018-19 and FY 2019-20 appropriations to the Judicial Department.

**H.B. 20-1250 LAW SUPPLEMENTAL APPROPRIATION BILL**

Modifies FY 2019-20 appropriations to the Department of Law.

**H.B. 20-1251 LOCAL AFFAIRS SUPPLEMENTAL APPROPRIATION BILL**

Modifies FY 2019-20 appropriations to the Department of Local Affairs.

**H.B. 20-1252 MILITARY AND VETERANS AFFAIRS SUPPLEMENTAL APPROPRIATION BILL**

Modifies FY 2019-20 appropriations to the Department of Military and Veterans Affairs.

**H.B. 20-1253 NATURAL RESOURCES SUPPLEMENTAL APPROPRIATION BILL**

Modifies FY 2019-20 appropriations to the Department of Natural Resources.

**H.B. 20-1254 PERSONNEL SUPPLEMENTAL APPROPRIATION BILL**

Modifies FY 2019-20 appropriations to the Department of Personnel.

**H.B. 20-1255 PUBLIC HEALTH AND ENVIRONMENT SUPPLEMENTAL APPROPRIATION BILL**

Modifies FY 2019-20 appropriations to the Department of Public Health and Environment.

**H.B. 20-1256 PUBLIC SAFETY SUPPLEMENTAL APPROPRIATION BILL**

Modifies FY 2019-20 appropriations to the Department of Public Safety.

**H.B. 20-1257 REVENUE SUPPLEMENTAL APPROPRIATION BILL**

Modifies FY 2019-20 appropriations to the Department of Revenue.

**H.B. 20-1258 TREASURY SUPPLEMENTAL APPROPRIATION BILL**

Modifies FY 2019-20 appropriations to the Department of the Treasury.

**H.B. 20-1259 CAPITAL CONSTRUCTION SUPPLEMENTAL APPROPRIATION**

Modifies FY 2019-20, FY 2017-18, FY 2016-17, and FY 2015-16 appropriations for Capital Construction.

**H.B. 20-1260 FY 2019-20 SCHOOL FINANCE MID-YEAR ADJUSTMENTS**

For the Department of Education, makes mid-year school finance-related statutory adjustments to reflect actual pupil counts and the local revenues available for school finance in FY 2019-20. Maintains the budget stabilization factor at the original appropriated level for FY 2019-20 (\$572.4 million). A higher-than-anticipated student count increased total program funding before the application of the budget stabilization factor by \$20.3 million. After adjusting for a \$11.2 million increase in local revenues available for school finance (above the level anticipated in the original FY 2019-20 appropriation), maintaining a constant budget stabilization factor required an additional \$9.0 million in state funds. For FY 2019-20, appropriates \$9,046,331 General Fund to the Department of Education for the state share of total program funding.

**H.B. 20-1261 GENERAL FUND TRANSFER TO IT CAPITAL ACCOUNT**

Transfers \$7,466,648 General Fund in FY 2019-20 to the Information Technology Capital Account within the Capital Construction Fund to pay for information technology project appropriations included in the 2020 supplemental bill for capital construction.

**H.B. 20-1262 HOUSING ASSISTANCE FOR PERSONS TRANSITIONING**

Modifies the existing method of funding housing assistance for persons transitioning from the criminal or juvenile justice systems. Specifically, repeals the requirement that unspent appropriations to the Department of Public Safety for community corrections programs be credited to a cash fund, and subsequently appropriated to the Department of Local Affairs (DOLA) for the provision of housing assistance. Therefore, any unspent community corrections funding will revert to the General Fund, which is expected to increase General Fund revenues by \$2.0 million in FY 2019-20 and FY 2020-21. Maintains the ability of the General Assembly to annually make an appropriation from the General Fund directly to DOLA for these services.

**H.B. 20-1286 SUNSET REGULATION OF FANTASY SPORTS**

Extends the regulation of fantasy sports operators until September 1, 2027. The program was previously scheduled for repeal on September 1, 2020. Transfers regulatory authority from the Department of Regulatory Agencies to the Department of Revenue. Requires annual audits of small fantasy contest operators by an independent third party. Reduces appropriations to the Department of Regulatory Agencies by \$11,252 cash funds and 0.2 FTE. The bill does not require an appropriation to the Department of Revenue as the cash fund is continuously appropriated.

**H.B. 20-1293 EMERGENCY TELEPHONE SERVICE CHARGES**

Eliminates the statutory cap on emergency telephone charges for local 911 governing bodies, and directs the Public Utilities Commission to determine the cap annually. Creates a new 911 surcharge within the Public Utilities Commission and creates a corresponding cash fund for revenue to be deposited. Eliminates a statutory 911 surcharge of 1.4 percent for people who purchase prepaid phones. Appropriates \$83,247 cash funds and 0.9 FTE to the Department of Regulatory Agencies and \$18,930 to the Department of Revenue for FY 2020-21.

**H.B. 20-1332 PROHIBIT HOUSING DISCRIMINATION SOURCE OF INCOME**

Prohibits discrimination in housing based on a person's source of income and makes such discrimination an unfair housing practice. Prohibits a landlord from refusing to rent or lease housing, show housing, transmit an offer to rent or lease, advertise that the rental or lease is limited based on source of income, or deny that housing is available in order to discriminate against someone based on their source of income. Appropriates \$9,641 General Fund and 0.1 FTE to the Department of Regulatory Agencies for FY 2020-21.

**H.B. 20-1345 LEGISLATIVE APPROPRIATION BILL**

Legislative appropriation act for FY 2020-21. In addition to the appropriations that are summarized in the Legislative Department sections within Parts II and III of this report, this act specifies that \$1,200,000 of the General Fund appropriated to the Legislative Department for FY 2019-20 that remains unencumbered and unexpended at the end of FY 2019-20 will revert to the General Fund rather than being transferred to the Legislative Department Cash Fund. This is a budget balancing provision.

**H.B. 20-1360 LONG BILL**

General appropriations act for FY 2020-21. Includes supplemental appropriations for FY 2018-19 and FY 2019-20.

**H.B. 20-1361 REDUCE ADULT DENTAL BENEFIT**

Reduces the annual cap on the Medicaid adult dental benefit to \$1,000 beginning when the higher federal match afforded through the federal Families First Coronavirus Response Act expires through at least June 30, 2022. Reduces FY 2020-21 funding for the Department of Health Care Policy and Financing by \$5,565,000, including \$331,462 General Fund, \$1,139,402 cash funds, and \$4,094,136 federal funds. Transfers from the Unclaimed Property Trust Fund to the General Fund \$1,139,402 in FY 2020-21 and \$2,278,804 in FY 2021-22. This is a budget balancing bill.

**H.B. 20-1362 LIMIT INCREASE TO MEDICAID NURSING FACILITY RATES**

Reduces the annual increase to Medicaid nursing facility rates for FY 2020-21 and FY 2021-22 from the lesser of actual allowable costs or 3.0 percent to the lesser of actual allowable costs or 2.0 percent. Reduces funding for the Department of Health Care Policy and Financing by \$7,011,151 in FY 2020-21, including \$3,288,230 General Fund and \$3,722,921 federal funds. This is a budget balancing bill.

**H.B. 20-1363 REPEAL REPORT ON RATE INCREASE FOR DIRECT SUPPORT**

Repeals the requirement for service agencies to report to the Department of Health Care Policy and Financing regarding increased reimbursement rates within the Medicaid Home and Community Based Services Waivers for individuals with intellectual and developmental disabilities.

**H.B. 20-1364 REPEAL OPIOID AWARENESS PROGRAM APPROPRIATION**

Reduces a requirement to appropriate funds from the Marijuana Tax Cash Fund to the Center for Research into Substance Use Disorder Prevention, Treatment, and Recovery Support Strategies at the University of Colorado in the Department of Higher Education. Statute previously required an appropriation of \$750,000 for the program for state fiscal years 2019-20 through 2023-24. This is changed to \$250,000 beginning in FY 2020-21. The funds are to implement a program to increase public awareness concerning the safe use, storage, and disposal of opioids and the availability of naloxone and other drugs used to block the effects of an opioid overdose. Reduces the appropriation

to the Department of Higher Education for the Regents of the University of Colorado by \$500,000 cash funds from the Marijuana Tax Cash Fund for FY 2020-21. This is a budget balancing bill.

#### **H.B. 20-1365 SUSTAIN FUNDING HISTORY COLORADO**

Makes three statutory changes related to funding for the State Historical Society (History Colorado) in the Department of Higher Education.

- Transfers the unencumbered portion of funds previously transferred from the State Historical Fund to the Capital Construction Fund back to the State Historical Fund. The transfer to the Capital Construction Fund was to repaint the interior dome of the State Capitol. An estimated \$940,000 will be deposited into the Museum and Preservation Operations Account of the State Historical Fund based on this provision.
- Authorizes History Colorado to transfer up to \$1,000,000 per year from its Preservation Grant Program Account within the State Historical Fund to its Museum and Preservation Operations Account, for FY 2020-21 and FY 2021-22 only.
- Current law requires the General Assembly to appropriate money from the State Historical Fund for lease purchase payments for the Colorado History Museum; the bill expands this authority to allow appropriations from any fund, including the General Fund.

#### **H.B. 20-1366 HIGHER EDUCATION FUNDING ALLOCATION MODEL**

Creates a new funding model beginning in FY 2021-22 that includes new provisions for calculating fee-for-service contracts for state higher education institutions and makes related changes to the calculation of state funding to support specialty education programs, area technical colleges, and local district colleges. For additional information see the Factors Driving the Budget section in Part 2 for the Department of Higher Education.

#### **H.B. 20-1367 REALLOCATE STATE SALES & USE TAX TO GENERAL FUND**

Reduces the amount of sales and use tax revenue that will be credited to the Older Coloradans Cash Fund in FY 2020-21 from \$10.0 million to \$8.0 million with the difference credited to the General Fund. Money in the Older Coloradans Cash Fund statutorily transferred from state sales and use tax revenue is subject to annual appropriation for distribution to Area Agencies on Aging.

#### **H.B. 20-1368 DELAY IMPLEMENTATION OF H.B. 19-1229**

Delays the effective date of H.B. 19-1229 (Electronic Preservation of Abandoned Estate Documents) from January 1, 2021 until January 1, 2023, thus delaying costs of startup and operation for two years. Reduces the FY 2020-21 Long Bill appropriation to the Judicial Department in the Long Bill by \$153,377 General Fund.

#### **H.B. 20-1369 REDUCE PROSECUTION TRAINING APPROPRIATION**

Reduces the FY 2020-21 appropriation to the Department of Law for district attorney prosecution training from \$350,000 General Fund to \$200,000 General Fund. This is a budget balancing bill.

#### **H.B. 20-1370 TRANSFERS FROM UNCLAIMED PROPERTY TRUST FUND TO HOUSING**

Modifies provisions of H.B. 19-1322 (Expand Supply of Affordable Housing) that, beginning with the 2020-21 state fiscal year and for three total state fiscal years, assuming certain conditions are satisfied, requires the State Treasurer to transfer \$30 million from the Unclaimed Property Trust Fund to the Housing Development Grant Fund in the Department of Local Affairs to support the provision of affordable housing statewide. Delays the starting date of the first possible transfer by two fiscal years to FY 2022-23. The first of the three possible transfers will occur in June 2023 for the FY 2022-23 fiscal year if Legislative Council Staff's June 2023 forecast projects revenue subject to TABOR to fall below a "cutoff" amount equal to the projected Referendum C cap minus \$30 million dollars. This is a budget balancing bill.

#### **H.B. 20-1371 DELAY SUBSTANCE USE & MENTAL HEALTH SERVICES GRANT PROGRAM**

Modifies provisions of H.B. 19-1263 (Offense Level for Controlled Substance Possession) that require the General Assembly, beginning in FY 2020-21, to annually appropriate at least \$1,800,000 from the General Fund to the



Department of Local Affairs (DOLA) for the Community Substance Use and Mental Health Services Grant Program and instead makes the program subject to available appropriations. Reduces appropriations to DOLA by \$1,866,208 General Fund in FY 2020-21, and reduces the corresponding FTE by 0.9. This is a budget balancing bill.

#### **H.B. 20-1372 OPERATIONAL FUND MINED LAND RECLAMATION REPEAL**

Repeals two transfers from the Severance Tax Operational Fund, effective July 1, 2020: the \$500,000 transfer from core departmental program funding to the Abandoned Mine Reclamation Fund created in Section 34-34-102 (1), C.R.S.; and the \$127,000 transfer from grant program funding to the Reclamation Warranty and Forfeiture Fund, pursuant to Section 39-29-109.3 (2)(o), C.R.S. Repealed funding through transfer will instead be provided directly from core departmental program funding. The bill also repeals the Abandoned Mine Reclamation Fund, effective July 1, 2023.

#### **H.B. 20-1374 REPEAL WASTE GREASE PROGRAM**

Repeals the Waste Grease Program in the Department of Public Health and Environment. Reduces the appropriation to the Department of Public Health and Environment by \$100,890 cash funds and 0.7 FTE in FY 2020-21.

#### **H.B. 20-1375 REPEAL LAW ENFORCEMENT GRANT APPROPRIATION ROLL-FORWARD**

Repeals the authority of the Division of Criminal Justice in the Department of Public Safety to spend unused appropriations for the Law Enforcement Assistance Grant Program (LEAGP) in the following fiscal year. Appropriations for LEAGP come from the Marijuana Tax Cash Fund.

#### **H.B. 20-1376 MODIFY TRANSPORTATION FUNDING MECHANISMS**

Suspends for two years, beginning in FY 2020-21, an annual \$50.0 million transfer from the General Fund to the Colorado Department of Transportation (CDOT) that was placed in statute by S.B. 18-001 and modified by S.B. 19-263. Prior to this two-year suspension, CDOT used this transfer to pay its debt service obligations under S.B. 17-267. Increases by \$12.0 million General Fund payments that CDOT must make in FY 2020-21 and FY 2021-22 on S.B. 17-267 indebtedness thus eliminating the need for the General Fund to make these payments. Cancels a November 2020 referred ballot measure that, if approved by voters, would have (1) authorized the issuance of transportation revenue anticipation notes (TRANS) by CDOT and (2) reduced the number of tranches of S.B. 17-267 COPs that are issued. This is a budget balancing bill that saves the General Fund \$62.0 million in FY 2020-21 and FY 2021-22.

#### **H.B. 20-1377 FUND CONTROLLED MAINTENANCE PROJECTS**

Directs up to \$49.0 million of the proceeds in excess of \$500 million from issue of the second tranche of S.B. 17-267 lease-purchase agreements to the Capital Construction Fund for controlled maintenance projects. Under the original terms of S.B. 17-267 all proceeds from the lease-purchase issue would have gone to the Colorado Department of Transportation (CDOT). This is a budget balancing bill that provided up to \$49.0 million of revenue for state controlled maintenance projects in FY 2020-21 that would otherwise have gone to CDOT.

#### **H.B. 20-1378 CAPITAL-RELATED TRANSFERS OF MONEY**

Provides for FY 2019-20, a net transfer of \$19,737,085 from the Capital Construction Fund to the General Fund as follows:

- \$1,397,624 from the General Fund to the Capital Construction Fund for building capital projects for FY 2019-20; and
- \$21,134,709 from the Information Technology Capital Account of the Capital Construction Fund to the General Fund.

Provides for FY 2020-21, transfers totaling \$2,988,768, including \$2,488,768 from the General Fund and \$500,000 from the General Fund Exempt Account, as follows:

- \$2,043,768 from the General Fund to the Capital Construction Fund for building capital projects;

- \$445,000 from the General Fund to the Information Technology Capital Account of the Capital Construction Fund for information technology capital projects; and
- \$500,000 from the General Fund Exempt Account of the General Fund for capital construction transportation projects.

#### **H.B. 20-1379 SUSPEND PERA DIRECT DISTRIBUTION FOR FY 2020-21**

Suspends the \$225.0 million direct distribution payment from the State Treasurer to PERA, pursuant to Section 24-51-414, C.R.S., for FY 2020-21, eliminating the payment, specified as General Fund or other funds. This is a budget balancing bill.

Includes appropriations as follows:

- Decreases the informational appropriation in the Department of the Treasury by \$225.0 million total funds, including \$170,949,406 General Fund and \$54,050,594 reappropriated funds.
- Decreases state agency PERA Direct Distribution common policy appropriations totaling \$48.9 million, including \$30.6 million General Fund, \$11.1 million cash funds, \$6.0 million reappropriated funds, and \$1.1 million federal funds as follows:

PERA DIRECT DISTRIBUTION - STATE AGENCY APPROPRIATION ADJUSTMENTS					
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
Agriculture	(\$481,308)	(\$157,816)	(\$323,492)	\$0	\$0
Corrections	(9,388,586)	(9,128,730)	(259,856)	0	0
Education	(1,220,885)	(870,498)	(198,219)	(152,168)	0
Governor's Office	(2,427,624)	(230,830)	(58,019)	(2,138,775)	0
Health Care Policy and Financing	(977,212)	(880,628)	(74,277)	(22,307)	0
Higher Education - Admin & Hist.CO	(441,133)	(160,598)	(280,535)	0	0
Human Services	(7,450,138)	(5,576,328)	(74,354)	(1,799,456)	0
Judicial	(8,470,053)	(7,850,176)	(619,877)	0	0
Labor and Employment	(2,035,721)	(126,776)	(757,183)	(11,564)	(1,140,198)
Law	(1,121,212)	(326,058)	(137,650)	(657,504)	0
Legislature	(660,409)	(660,409)	0	0	0
Local Affairs	(323,311)	(161,219)	(44,897)	(117,195)	0
Military and Veterans Affairs	(238,282)	(234,742)	(3,540)	0	0
Natural Resources	(2,936,082)	(520,633)	(2,329,063)	(86,386)	0
Personnel	(671,727)	(260,140)	(32,065)	(379,522)	0
Public Health and Environment	(2,671,912)	(1,496,477)	(896,319)	(279,116)	0
Public Safety	(3,859,353)	(1,021,162)	(2,518,486)	(319,705)	0
Regulatory Agencies	(1,040,006)	(43,832)	(932,277)	(63,897)	0
Revenue	(2,143,176)	(829,713)	(1,311,348)	(2,115)	0
State	(245,319)	0	(245,319)	0	0
Treasury	(49,947)	(31,876)	(18,071)	0	0
<b>TOTAL</b>	<b>(\$48,853,396)</b>	<b>(\$30,568,641)</b>	<b>(\$11,114,847)</b>	<b>(\$6,029,710)</b>	<b>(1,140,198)</b>

The common policy allocation of \$5.2 million cash funds to the Department of Transportation is not appropriated in the Long Bill and is therefore excluded from adjustments included in the appropriation as reflected in the table.

#### **H.B. 20-1380 MOVE TOBACCO LITIGATION SETTLEMENT MONEYS GENERAL FUND**

Makes a number of budget balancing changes to existing statutory distributions to divert Tobacco Master Settlement Agreement (MSA) revenue to the General Fund. Modifies the FY 2020-21 formula for distribution of MSA revenue by maintaining the base allocation at \$80.4 million (amount expected based on February forecast); reducing the distribution to the Department of Law to 0.75 percent; and reducing the distribution to the State Dental Loan Repayment Program by \$160,717. Transfers a total of \$40.0 million cash funds to the General Fund, including: \$20.0 million from an increase to the Accelerated Payment, \$8.0 million from the Tobacco Litigation Settlement Account, \$4.2 million from the Nurse Home Visitor Program Fund, \$3.0 million from the Colorado

State Veterans Trust Fund, and \$4.8 million of unallocated funds. This is a budget balancing bill. For more information, see Appendix H, Tobacco.

#### **H.B. 20-1381 CASH FUND TRANSFERS TO THE GENERAL FUND**

Transfers a total of \$143.4 million from various cash funds to the General Fund for FY 2019-20 and FY 2020-21. This is a budget balancing bill.

CASH FUND TRANSFERS TO GENERAL FUND IN H.B. 20-1381			
DEPARTMENT	NAME OF FUND	YEAR	TOTAL
Labor and Employment	Employment Verification Fund	FY 19-20	\$3,176
Human Services	Fort Logan Land Sale Account	FY 19-20	7,900,000
Human Services	State Supplemental Security Income Stabilization Fund	FY 19-20	1,887,116
Local Affairs	Moffat Tunnel Cash Fund	FY 19-20	167,463
Military and Veterans Affairs	Veterans Assistance Grant Program Cash Fund	FY 19-20	1,000,000
Natural Resources	Severance Tax Perpetual Base Fund	FY 20-21	45,500,000
Statewide	Indirect Costs Excess Recovery Fund	FY 19-20	8,381,753
Statewide	State Employee Reserve Fund	FY 19-20	25,600,000
Transportation	Multimodal Transportation Options Fund	FY 19-20	10,000,000
Treasury	Unclaimed Property Trust Fund	FY 20-21	43,000,000
FY 19-20 Total Transfers			54,939,508
FY 20-21 Total Transfers			88,500,000
<b>Total Transfers</b>			<b>\$143,439,508</b>

#### **H.B. 20-1382 REPEAL TECHNOLOGY ADVANCEMENT AND EMERGENCY FUND**

Repeals the Technology Advancement and Emergency Fund, effective upon the Governor's signature (June 30, 2020). This fund receives annual transfers of unexpended General Fund appropriations to various state agencies for the procurement of information technology resources or major automation system projects. The repeal of this fund thus results in any such unexpended General Fund appropriations reverting to the General Fund. Requires the State Treasurer to transfer the unexpended and unencumbered balance from this fund to the General Fund (an estimated transfer of \$13.9 million). This is a budget balancing bill.

#### **H.B. 20-1383 TEMPORARY REDUCTION IN THE GENERAL FUND RESERVE**

Temporarily decreases the statutory General Fund reserve requirement from 7.25 percent of General Fund appropriations at the end of each fiscal year to:

- 3.07 percent of appropriations for FY 2019-20, and
- 2.86 percent of appropriations for FY 2020-21 and 2021-22.

For FY 2022-23 and subsequent fiscal years, the reserve requirement remains unchanged at 7.25 percent of General Fund appropriations. This is a budget balancing bill.

#### **H.B. 20-1384 WRAPAROUND SERVICES FOR ELIGIBLE AT-RISK CHILDREN**

Makes implementation of programs providing wraparound services for children and youth in or at risk of out-of-home placement created in S.B. 19-195 (Child and Youth Behavioral Health System Enhancements) subject to available appropriations. Beginning in FY 2020-21, reduces state expenditures for the Department of Health Care Policy and Financing by \$1.5 million total funds, including \$677,492 General Fund, and 3.9 FTE; the Department of Human Services by \$495,380 total funds, including \$195,380 General Fund and 2.5 FTE; and the Department of Public Health and Environment by \$108,640 General Fund and 0.2 FTE. This is a budget balancing bill.

#### **H.B. 20-1385 USE OF INCREASED MEDICAID MATCH**

Requires, for FY 2019-20 and FY 2020-21, the amount of increased federal financial participation above 50 percent for certified public expenditures to be transferred to the General Fund. Requires, for FY 2019-20 and FY 2020-21, the amount of increased federal financial participation above 50 percent for both the Healthcare Affordability and Sustainability Fee Cash Fund and the Medicaid Nursing Facility Cash Fund to offset General Fund expenditures for Medical Services Premiums. Makes a temporary exception to the higher education funding distribution formula to

reduce the General Fund for the health sciences center at the University of Colorado by the amount of federal funds in excess of 50 percent. This is a budget balancing bill.

Makes the following changes to appropriations:

APPROPRIATION CHANGES					
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
<b>FY 2019-20</b>					
HEALTH CARE POLICY AND FINANCING					
Provider fee on hospitals (HAS Fee)	\$0	(\$21,132,815)	\$21,132,815	\$0	\$0
Provider fee on nursing homes	0	(3,601,130)	3,601,130	0	0
<b>Health Care Policy and Financing</b>	<b>\$0</b>	<b>(\$24,733,945)</b>	<b>\$24,733,945</b>	<b>\$0</b>	<b>\$0</b>
<b>FY 2020-21</b>					
HEALTH CARE POLICY AND FINANCING					
Provider fee on hospitals (HAS Fee)	\$0	(\$21,132,815)	\$21,132,815	\$0	\$0
Provider fee on nursing homes	0	(3,601,130)	3,601,130	0	0
CU health sciences center	(4,310,802)	0	0	(2,021,766)	(2,289,036)
<b>Health Care Policy and Financing</b>	<b>(\$4,310,802)</b>	<b>(\$24,733,945)</b>	<b>\$24,733,945</b>	<b>(\$2,021,766)</b>	<b>(\$2,289,036)</b>
HIGHER EDUCATION					
Fee-for-service contracts	(\$2,021,766)	(\$2,021,766)	\$0	\$0	\$0
Regents of the University of Colorado	(2,021,766)	0	0	(2,021,766)	0
<b>Higher Education</b>	<b>(\$4,043,532)</b>	<b>(\$2,021,766)</b>	<b>\$0</b>	<b>(\$2,021,766)</b>	<b>\$0</b>

In addition, the bill is projected to increase revenue to the General Fund from certified public expenditures by the following amounts:

PROJECTED REVENUE TO THE GENERAL FUND		
	FY 2019-20	FY 2020-21
Denver Health	\$43,400	\$538,862
Home Health Agencies	0	114,715
UCHealth Memorial Hospital	0	632,243
<b>Total</b>	<b>\$43,400</b>	<b>\$1,285,820</b>

#### **H.B. 20-1386 USE FEES TO OFFSET MEDICAID PROGRAM**

Creates a new temporary allowable use of the Healthcare Affordability and Sustainability (HAS) Fee for FY 2020-21 to offset General Fund for Medicaid expenditures in the amount of \$161.0 million. Appropriates \$161.0 million from the HAS Fee and decreases General Fund by a like amount for the Department of Health Care Policy and Financing in FY 2020-21. This is a budget balancing bill.

#### **H.B. 20-1387 TRANSFERS FROM UNEXPENDED COUNTY REIMBURSEMENTS**

Repeals the potential annual transfers from the General Fund to the Older Coloradans Cash Fund and the Veterans Assistance Grant Program that are triggered when the amount of funding included in the budget for the Senior Citizen and Disabled Veteran Property Tax Exemptions is overestimated. Transfers \$13.0 million from the Older Coloradans Cash Fund to the General Fund in FY 2020-21. This is a budget balancing bill.

#### **H.B. 20-1388 STATUTORY PROVISIONS DIVERT GENERAL FUND REVERSIONS**

Requires that unexpended money for certain programs in the Department of Human Services revert to the General Fund, and repeals requirements that the General Assembly appropriate money to certain programs. Eliminates the Child Support Collection Fund and increases potential reversions to the General Fund on an ongoing basis. Reduces FY 2020-21 appropriations to the Department of Human Services by \$4,254,999 General Fund and 0.7 FTE. This is a budget balancing bill.

**H.B. 20-1389 SUSPEND TRANSFERS TO CHILD WELFARE SERVICES CASH FUND**

Suspends transfers to the Child Welfare Prevention and Intervention Services Cash Fund from any unspent General Fund included in child welfare capped allocations for allocations made in FY 2019-20 through FY 2021-22. This is a budget balancing bill.

**H.B. 20-1390 DISCONTINUE DIVISION OF YOUTH SERVICES TRAUMA PILOT PROGRAM**

Discontinues two therapeutic and rehabilitative culture pilot programs within the Division of Youth Services in the Department of Human Services and repeals the Youth Services Pilot Program Cash Fund. Reduces FY 2020-21 appropriations to the Department of Human Services by \$610,854 General Fund and reduces the corresponding FTE by 4.0 FTE. This is a budget balancing bill.

**H.B. 20-1391 BEHAVIORAL HEALTH PROGRAMS APPROPRIATIONS**

Makes implementation of certain behavioral health programs created in H.B. 19-1287 (Treatment for Substance Use Disorders) subject to available appropriations and removes the FY 2020-21 appropriation for those programs. This is a budget balancing bill. Specifically, the bill:

- Removes the date by which the Department of Human Services must implement and make publicly available a centralized, web-based behavioral health tracking system and a care navigation program;
- Specifies that implementation of the programs is subject to available appropriations;
- Eliminates the September 2020 care navigation program reporting requirement and instead specifies that the reporting must occur during the first year in which the program is implemented; and
- Reduces appropriations to the Department of Human Services by \$546,013 cash funds from the Marijuana Tax Cash Fund and 2.5 FTE.

**H.B. 20-1392 COUNCIL AND PARKING EDUCATION PROGRAM FOR PERSONS WITH DISABILITY**

Repeals the Colorado Advisory Council for Persons with Disabilities and the Disabled Parking Education Program. Reduces FY 2020-21 appropriations to the Department of Human Services by \$238,497 General Fund and reduces the corresponding FTE by 1.0 FTE. This is a budget balancing bill.

**H.B. 20-1393 EXPAND MENTAL HEALTH DIVERSION PILOT PROGRAM**

Allows the Mental Health Diversion Pilot Program, which was established by S.B. 18-249, to be expanded into 5 or more judicial districts to increase the number of participants. Currently the pilot program may operate in up to 4 judicial districts.

**H.B. 20-1394 PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION JUDICIAL DIVISION CONTRIBUTION RATE MODIFICATION**

Increases the PERA contribution rate for judges for FY 2020-21 and FY 2021-22 by 5.0 percent and reduces the PERA contribution rate for the Judicial Department by 5.0 percent. This leaves a judge's gross salary unchanged but reduces the judge's after-retirement-contribution pay by 5 percent. The 5 percent reduction corresponds to the 5 percent personal services base reduction contained in the Long Bill. The additional 5 percent contribution for judges and the 5 percent reduction for the Judicial Department is repealed starting in FY 2022-23. Reduces the FY 2020-21 appropriation to the Judicial Department by \$2,696,865 General Fund. This is a budget balancing bill.

**H.B. 20-1395 END WORK ACT GRANTS TRANSFER MONEY TO GENERAL FUND**

Phases out the Skilled Worker Outreach Recruitment and Key Training Program (WORK Act), a grant program that supports governmental and non-governmental organizations in marketing and updating workforce training programs to meet industry needs. Prohibits the Department of Labor and Employment from awarding or issuing new grants under this program, eliminates the requirement that the General Assembly appropriate \$3,300,000 General Fund for the program in FY 2020-21, transfers any balance in the Skilled Worker Outreach Recruitment and Key Training Grant Program Fund (WORK Fund) to the General Fund on September 1, 2020 and September 1, 2021, and repeals the program on September 30, 2021. Reduces FY 2020-21 Long Bill appropriations to the Department of Labor and Employment for the WORK Fund by \$3,300,000 General Fund and strikes a related FY

2020-21 appropriation to the Department of \$3,300,000 reappropriated funds and 2.0 FTE. Also expected to increase available General Fund by at least \$160,300 in FY 2020-21, based on amounts in the WORK Fund that are not currently granted and will be transferred to the General Fund on September 1, 2020. This is a budget balancing bill.

#### **H.B. 20-1396 WORK FORCE DEVELOPMENT COUNCIL ONLINE CAREER PLATFORM**

Requires the State Work Force Development Council, in collaboration with the Departments of Higher Education, Labor and Employment, and Human Services, to implement and maintain a free online platform to provide Coloradans with personalized information to assist them in making career and education planning decisions; however this requirement is subject to available appropriations or money from other sources. The platform authorized by the bill is currently active and supported through private donations (\$2.3 million in FY 2019-20). Operating costs are estimated at \$1,525,000 per year from multiple sources, with a minimum of \$750,000 per year for IT costs. Sufficient grant funding is expected to be available through at least FY 2021-22 to support the program. The bill allows, but does not require, state appropriations in future years.

#### **H.B. 20-1397 ELIMINATE CDPHE SUPPORT OF CERTAIN BOARDS**

Eliminates the statutory requirements of the Department of Public Health and Environment to support the Stroke Advisory Board and the Colorado Coroner's Standards and Training Board. Passed as part of the budget balancing package. Allows the Department to identify an independent agency to take over the administrative responsibilities of both boards and transfers any remaining fund balances to that agency. Decreases appropriations to the Department of Public Health and Environment by \$44,007 General Fund.

#### **H.B. 20-1398 MODIFY AUTOMATIC FUNDING MECHANISM FOR CAPITAL CONSTRUCTION**

Suspends the annual depreciation-lease equivalent payment mechanism, defined in Section 24-30-1310 (1)(a), C.R.S., for FY 2020-21. Also exempts the Legislative Department Cash Fund and the Redistricting Account in the Legislative Department Cash Fund from capital reserve requirements related to depreciation-lease equivalent payments. Decreases General Fund appropriations for the annual depreciation-lease equivalent payment in six departments by \$7,561,261, for FY 2020-21, as follows:

ANNUAL DEPRECIATION-LEASE EQUIVALENT PAYMENT APPROPRIATION ADJUSTMENTS FOR FY 2020-21	
DEPARTMENT	GENERAL FUND
Corrections	(\$307,843)
Higher Education	(3,461,717)
Human Services	(3,103,396)
Military and Veterans Affairs	(87,994)
Personnel	(566,806)
Public Health and Environment	(33,505)
<b>Total</b>	<b>(\$7,561,261)</b>

#### **H.B. 20-1399 SUSPEND LIMITED GAMING TAX TRANSFERS TO CASH FUNDS**

Suspends, for two years, statutory transfers of revenue from limited gaming activities to tourism, economic development, gaming impact grants, and higher education research grants. Revenue that otherwise would be transferred for these programs in early FY 2020-21 (between \$23.2 and \$23.4 million) is retained in the General Fund. Instead, some impacted programs receive direct General Fund appropriations totaling \$14.0 million in FY 2020-21 as follows:

- \$12,150,000 General Fund to the Office of the Governor for use by Economic Development Programs, including: \$310,331 for the Colorado Office of Film, Television, and Media, \$500,000 for Colorado Promotion – Colorado Welcome Centers and a corresponding 3.3 FTE, \$8,678,000 for Colorado Promotion – Other Program Costs, \$600,000 for the Destination Development Program, \$1,226,000 for the Council on Creative Industries, \$398,000 for Advanced Industries, and \$437,669 for indirect costs; and

- \$1,875,000 General Fund to the Local Government Limited Gaming Impact Fund within the Department of Local Affairs, including \$33,272 reappropriated funds for use by the Executive Director's Office, \$114,788 reappropriated funds and 1.0 corresponding FTE for use by the Division of Local Government for Program Costs, \$1,710,192 reappropriated funds for Local Government Limited Gaming Impact Grants, and \$16,748 reappropriated funds for indirect costs.

Makes the following FY 2020-21 adjustments to H.B. 20-1360 (Long Bill):

- Reduces appropriations to the Office of the Governor from the Colorado Travel and Tourism Promotion Fund for Colorado Promotion – Colorado Welcome Centers by \$516,000 and a related 3.3 FTE and for Colorado Promotion – Other Program Costs by \$10,579,623;
- Reduces appropriations to the Office of the Governor from the Advanced Industries Acceleration Cash Fund for Advanced Industries by \$8,362,210;
- Reduces appropriations to the Office of the Governor from the Creative Industries Cash Fund for the Council on Creative Industries by \$2,023,000;
- Reduces appropriations to the Department of Higher Education from the Higher Education Research Fund by \$800,000;
- Reduces appropriations to the Department of Local Affairs from various cash funds for use throughout the Executive Director's Office by \$33,272;
- Reduces appropriations to the Department of Local Affairs from the Local Government Limited Gaming Impact Fund for Program Costs by \$114,788 and 1.0 corresponding FTE and for indirect costs by \$16,748; and
- Reduces appropriations to the Department of Local Affairs for Local Government Limited Gaming Impact Grants by \$5,127,850.

This is a budget balancing bill and is estimated to result in a net increase to the amount of General Fund available of between \$9.2 million and \$9.4 million in FY 2020-21. Transfers of gaming revenue to the impacted programs will resume at the end of FY 2021-22, and this revenue will be available for appropriation as cash funds in FY 2022-23.

#### **H.B. 20-1400 TEMPORARY MODIFICATION OF LIMITED GAMING TAX REVENUE ALLOCATION**

Temporarily modifies statutory provisions that clarify the allocation of limited gaming tax revenue between the original recipients of limited gaming tax revenue described in Article XVIII of the State Constitution (including the General Fund and State Historical Society) and the recipients of extended gaming tax revenue, added to the Constitution by voters in 2008 Amendment 50 (primarily community colleges). Suspends statutory provisions that limit annual increases to the original limited gaming recipients to 3.0 percent with limited exceptions. Specifies that until the fiscal year immediately following the fiscal year in which total limited gaming tax revenue collections again equal or exceed the revenues collected in FY 2018-19, any annual growth or decline in total net gaming tax distributions shall be allocated between the original limited gaming fund recipients and the extended gaming recipients based on the relative percentages in which each group of recipients shared in the decrease in total net gaming tax distributions from state fiscal year 2018-19 to state fiscal year 2019-20. Allows any adjustments necessary to ensure that the final distributions to all recipients comply with Constitutional requirements while achieving this intent. The fiscal impact of the bill will depend upon total limited gaming receipts. If limited gaming receipts increase in FY 2020-21 (as forecast by Legislative Council staff), this bill will allow the original limited gaming recipients, including the General Fund/other funds designated by the General Assembly and the State Historical Society, to receive a larger share of gaming tax distributions than they would receive under previous law. If limited gaming receipts fall further (as the Office of State Planning and Budgeting forecasts), the original gaming recipients could receive less than they would under previous law, though funding would ultimately rebound.

#### **H.B. 20-1401 MARIJUANA TAX CASH FUND SPENDING AND TRANSFER**

Repeals the prohibition on the General Assembly appropriating most of the money in the Marijuana Tax Cash Fund (MTCF) in the same fiscal year that it is collected by the State. Requires the State Treasurer to transfer \$136,989,750 from the MTCF to the General Fund on October 1, 2020. This is a budget balancing bill.

### H.B. 20-1403 CWCB PROJECTS BILL

Appropriates \$26,030,000 cash funds to the Colorado Water Conservation Board (CWCB) in the Department of Natural Resources for various water-related projects in FY 2020-21. The bill also authorizes the CWCB to make up to \$130.5 million in loans from the Severance Tax Perpetual Base Fund, and modifies state expenditures as follows:

- In FY 2019-20, reduces by \$866,742 an existing \$1,700,000 General Fund appropriation for the development of a Colorado River demand management program in the CWCB. Extends the remaining \$833,258 appropriation from FY 2019-20 to FY 2020-21; and
- In FY 2020-21, eliminates \$150,000 of annual funding from the CWCB Construction Fund to Water Education Colorado.

### H.B. 20-1406 CASH FUND TRANSFERS TO THE GENERAL FUND

Transfers a total of \$42.8 million from various cash funds to the General Fund for FY 2019-20 and FY 2020-21. This is a budget balancing bill.

CASH FUND TRANSFERS TO GENERAL FUND IN H.B. 20-1406			
DEPARTMENT	NAME OF FUND	YEAR	TOTAL
Labor and Employment	Petroleum Cleanup and Redevelopment Fund	FY 19-20	\$2,000,000
Labor and Employment	Petroleum Storage Tank Fund	FY 20-21	4,000,000
Labor and Employment	Workers' Compensation Cash Fund	FY 19-20	1,000,000
Labor and Employment	Unemployment Revenue Fund	FY 19-20	2,000,000
Labor and Employment	Conveyance Safety Fund	FY 19-20	500,000
Local Affairs	Local Government Permanent Fund	FY 19-20	2,300,000
Military and Veterans Affairs	Sales of Real Estate Acquired for Military Purposes	FY 20-21	4,908,395
Natural Resources	Off-Highway Vehicle Recreation Fund	FY 19-20	5,000,000
Personnel	State Archives and Records Cash Fund	FY 20-21	130,000
Public Health and Environment	Waste Tire Market Development Fund	FY 19-20	771,204
Public Health and Environment	Small Communities Water and Wastewater Grant Fund	FY 19-20	5,600,000
Public Health and Environment	Vital Statistics Records Cash Fund	FY 19-20	180,000
Public Health and Environment	Construction Sector Fund	FY 19-20	433,728
Public Health and Environment	Public and Private Utilities Sector Fund	FY 19-20	500,000
Public Health and Environment	Water Quality Improvement Fund	FY 19-20	483,535
Public Health and Environment	Hazardous Waste Service Fund	FY 19-20	422,411
Public Health and Environment	Solid Waste Management Fund	FY 19-20	363,243
Public Health and Environment	Waste Tire Administration, Enforcement, Market Development, and Cleanup Fund	FY 19-20	5,372,415
Public Health and Environment	End Users Fund	FY 19-20	1,400,000
Public Safety	School Safety Resource Center Cash Fund	FY 19-20	1,000,000
Revenue	Marijuana Cash Fund	FY 19-20	1,600,000
Regulatory Agencies	Division of Insurance Cash Fund	FY 20-21	1,224,100
Regulatory Agencies	Division of Banking Cash Fund	FY 20-21	370,795
Regulatory Agencies	Prescription Drug Monitoring Fund	FY 20-21	267,521
Regulatory Agencies	Highway-rail Crossing Signalization	FY 20-21	1,007,176
FY 19-20 Total Transfers			30,926,536
FY 20-21 Total Transfers			11,907,987
<b>Total Transfers</b>			<b>\$42,834,523</b>

### H.B. 20-1408 DISTRIBUTION OF H.B. 20-1377 CAPITAL CONSTRUCTION FUND MONEY

Appropriates for FY 2020-21, a total of \$49.0 million from proceeds deposited in the Capital Construction Fund pursuant to H.B. 20-1377 *Fund Controlled Maintenance Projects* as follows:

- Appropriates \$34,098,768 from the Capital Construction Fund for Level I controlled maintenance projects as included in the table in the bill, representing current and out-year costs of all Level I controlled maintenance projects included in the State Architect's prioritization list.
- Appropriates \$3,826,172 total funds, including \$3,779,372 Capital Construction Fund and \$46,800 cash funds from institutional funds specified for construction projects, to the University of Northern Colorado for the Boiler #3 Replacement capital renewal project.



- Appropriates \$2,819,630 Capital Construction Fund to Adams State University for the Plachy Hall HVAC Upgrade and Replacement capital renewal project.
- Appropriates any remaining money to the State Architect's Emergency Controlled Maintenance Account. This appropriation is estimated to be \$8,302,230 of the maximum of \$49.0 million in proceeds from H.B. 20-1377.

#### **H.B. 20-1410 COVID-19 RELATED HOUSING ASSISTANCE**

Uses \$20.0 million of federal funds received from the Coronavirus Aid, Relief, and Economic Security (CARES) Act to provide assistance to individuals whose housing has been affected by the COVID-19 pandemic.

- During FY 2019-20 transfers \$350,000 from the CARE Subfund in the General Fund to the Pandemic Subaccount of the Eviction Legal Defense Fund, a subaccount that is created by this bill and is administered by the Office of the State Court Administrator in the Judicial Department. For FY 2019-20 appropriates \$350,000 cash funds from the Pandemic Subaccount to the Eviction Legal Defense Grant Program to provide legal assistance to indigent tenants facing eviction related to the COVID-19 pandemic. Any money in the Pandemic Subaccount not expended prior to July 1, 2020, is further appropriated to the Judicial Department for the period from July 1, 2020, through December 30, 2020, for the same purpose. Money in the Pandemic Subaccount of the Eviction Legal Defense Fund must be used by December 30, 2020. Note that this is a transfer from the CARE subfund, it is not an appropriation from the subfund.
- During FY 2019-20 transfers \$19,650,000 from the CARE Subfund in the General Fund to the Pandemic Subaccount of the Housing Development Grant Fund, a subaccount that is created by this bill and is administered by the Division of Housing in the Department of Local Affairs. The transferred funds are to be used for the purpose of providing housing assistance, including rental assistance, mortgage assistance, and guidance on other housing assistance, to households facing financial hardship due to the COVID-19 pandemic. No appropriation from that special account is needed because the Housing Development Grant Fund is continuously appropriated by Section 24-32-721 (1), C.R.S. Money in the Pandemic Subaccount of the Housing Development Grant Fund must be used by December 30, 2020.

#### **H.B. 20-1411 COVID-19 FUNDS ALLOCATION FOR BEHAVIORAL HEALTH**

Modifies FY 2019-20 appropriations to allocate funds from the CARE subfund of the General Fund to various behavioral health programs. The CARE subfund originates as federal Coronavirus Relief Fund money that was deposited in the CARE subfund pursuant to Executive Order D 2020 070. These funds are available through December 30, 2020. Appropriations include:

- \$13,080,000 for the Office of Behavioral Health in the Department of Human Services
  - \$3,530,000 directed to the managed service organizations (MSO) for substance use disorder (SUD) treatment and recovery providers for unanticipated expenses related to COVID-19;
  - \$3,250,000 for community mental health centers for unanticipated expenses related to COVID-19;
  - \$500,000 directed to the MSOs for SUD screening, brief intervention services, referral to treatment, training, and supports;
  - \$2,000,000 for services provided to school-aged children and parents by community mental health center school-based clinicians and prevention specialists; and
  - \$3,800,000 for co-responder programs, Colorado crisis system services, housing assistance, and treatment for rural communities.
- \$1,400,000 for the Department of Public Health and Environment
  - \$250,000 for allocation to Mental Health First Aid for in-person and virtual trainings; and
  - \$1,150,000 for the opiate antagonist purchase fund and school-based health centers.
- \$600,000 for allocation to the Center for Research into Substance Use Disorder Prevention, Treatment, and Recovery Support Strategies at the University of Colorado for education for health care professionals, grant writing assistance, and personal protective equipment (PPE) and telehealth supplies for the medication-assisted treatment expansion pilot program.
- \$120,000 for the Safe2Tell program in the Department of Law.

#### **H.B. 20-1412 COVID-19 UTILITY BILL PAYMENT-RELATED ASSISTANCE**

Transfers \$4.8 million from the CARE subfund in the General Fund to the Energy Outreach Colorado Low-income Energy Assistance Fund in the Colorado Energy Office (CEO) to provide direct utility bill payment assistance to households facing economic hardship due to the COVID-19 pandemic through its nonprofit partner, Energy Outreach Colorado. Funding must be spent on or before December 4, 2020, and Energy Outreach Colorado is prohibited from using any of this funding for administrative purposes. Any unexpended funds must be returned and credited to the Unemployment Compensation Fund, to be expended by December 30, 2020. The CEO is required to report on how direct utility bill payments were made in its annual reporting to the General Assembly and Office of the State Auditor. The Energy Outreach Colorado Low-income Energy Assistance Fund is continuously appropriated pursuant to Section 40-8.7-112 (2)(a).

#### **H.B. 20-1413 SMALL BUSINESS RECOVERY LOAN PROGRAM PREMIUM TAX CREDITS**

Establishes a state and private investor-funded small business recovery loan program in the Office of the State Treasurer. Affects state revenue, transfers, and expenditures through FY 2026-27. Creates the Small Business Recovery Fund, which is continuously appropriated to the Department of the Treasury for the program.

#### **H.B. 20-1415 WHISTLEBLOWER PROTECTION PUBLIC HEALTH EMERGENCIES**

Prohibits a principal, including an employer, certain labor contractors, public employers, and entities that rely on independent contractors for a specified percentage of their workforce, from discriminating, retaliating, or taking adverse action against any worker who raises concerns about workplace health and safety practices or hazards related to a public health emergency. Appropriates \$270,153 cash funds from the Employment Support Fund to the Department of Labor and Employment for FY 2020-21, including \$206,193 in the Division of Labor Standards and Statistics, based on the assumption the Division will require 2.5 FTE, and \$63,960 for legal services. The legal services amount is reappropriated to the Department of Law and reflects the assumption that the Department of Law will require an additional 0.3 FTE. For FY 2021-22, is expected to require appropriations of \$293,059 cash funds from the Employment Support Fund to the Department of Labor and Employment, including centrally appropriated amounts. Of this amount, \$63,960 will be reappropriated to the Department of Law. The two departments are expected to require the same number of FTE in FY 2021-22 as in FY 2020-21.

#### **H.B. 20-1416 FISCAL SUMMARY FOR INITIATED MEASURES**

Modifies the timing and format of the fiscal analyses prepared by Legislative Council Staff for citizen-initiated ballot measures. Reduces the General Fund appropriation to the Legislative Department for FY 2020-21 for the Legislative Council Staff by \$7,865 and 0.1 FTE. This is a budget balancing bill.

#### **H.B. 20-1417 CARE SUBFUND IN THE GENERAL FUND**

Codifies the CARE subfund in the General Fund. The subfund is created pursuant to the Governor's Executive Order D 2020 070, which makes \$70.0 million of the federal funds received by the State from the federal Coronavirus Relief Fund subject to appropriation by the General Assembly for expenses that are necessary due to the coronavirus public health emergency, were not accounted for in the budget most recently approved as of March 27, 2020, and are incurred from March 1, 2020 through December 30, 2020. Specifies that amounts not expended revert to the subfund on December 30, 2020 and are transferred to the Unemployment Insurance Trust Fund.

#### **H.B. 20-1418 SCHOOL FINANCE**

Amends the "Public School Finance Act of 1994" and other statutory provisions for programs administered by the Department of Education to provide funding for school districts for FY 2020-21, making the following changes:

- Increases the *statewide base per pupil funding* amount from \$6,951.53 to \$7,083.61 (1.9 percent) to account for the annual change in the Denver-Aurora-Lakewood consumer price index in CY 2019.
- Increases the dollar value of the budget stabilization factor by \$601.1 million from FY 2019-20 (\$572.4 million) to FY 2020-21 (\$1.17 billion).

- Specifies that the dollar value of the budget stabilization factor in FY 2021-22 cannot exceed its value in FY 2020-21.
- Increases the statutory limit on B.E.S.T. Program lease purchase payments from \$110.0 million in FY 2020-21 under current law to \$125.0 million in FY 2020-21 and subsequent years.
- For FY 2020-21 only, diverts any marijuana excise tax revenues above the first \$40.0 million to the State Public School Fund rather than the Public School Capital Construction Assistance Fund.
- For FY 2020-21 only, diverts State School Trust revenue that would otherwise be credited to the Public School (Permanent) Fund to the State Public School Fund.
- For FY 2020-21, repeals the following statutory requirements for General Fund appropriations: \$250,000 for the counselor corps grant program and \$250,000 for the computer science education grant program. Also makes the corresponding reductions in appropriations.
- Beginning in FY 2020-21, repeals the Grow Your Own Educator Program and the Advanced Placement Incentives Program.
- Delays implementation of the Local School Food Purchasing Program and the K-5 Social and Emotional Health Pilot Program.
- Authorizes the Department of Education to expend money to correct the underpayment of state funding to local education providers under the School Finance Act.
- Modifies timelines for school districts' budget submittal, notice, and adoption.
- Makes technical changes related to pupil counts for kindergarten and first graders.
- Requires the Department of Education to use student enrollment numbers from FY 2018-19 to calculate per pupil payments under the READ Act for FY 2020-21 only.
- Beginning with tax year 2020, resets the total program mill levy for each school district that has obtained voter approval to retain revenues above the constitutional limit. Sets each such district's mill levy at the lesser of: 27.0 mills, the mill levy necessary to fully fund the district's total program, or the number of mills the district would have levied but for reductions in the mill levy after receiving voter approval to retain excess revenue. Requires school districts to approve tax credits equal to the number of mills levied in excess of the number of mills levied in tax year 2019.

For FY 2020-21, makes the following transfers to the State Public School Fund:

- \$100.0 million from the Public School Capital Construction Assistance Fund.
- \$2.5 million from the Marijuana Tax Cash Fund.
- \$2.5 million from the High Cost Special Education Trust Fund.

For FY 2020-21, makes the following transfers to the State Education Fund:

- \$3.5 million from the Early Literacy Fund.
- \$11,831 from the Teacher of the Year Fund.
- All unexpended and unencumbered money from the following funds: Full-day Kindergarten Capital Construction Fund, Retaining Teachers Fund, School Cardiopulmonary Resuscitation and Automated External Defibrillator Training Fund, Closing the Achievement Gap Cash Fund, Great Teachers and Leaders Fund, Nonpublic School Fingerprint Fund, and Student Re-engagement Program Fund.

The following table summarizes appropriation changes included in the bill.

H.B. 20-1418 APPROPRIATIONS TO THE DEPARTMENT OF EDUCATION				
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	FTE
FY 2019-20				
Quality Teacher Recruitment Program	(\$1,000,000)	\$0	(\$1,000,000)	0.0
<b>Total FY 2019-20</b>	<b>(\$1,000,000)</b>	<b>\$0</b>	<b>(\$1,000,000)</b>	<b>0.0</b>

## H.B. 20-1418 APPROPRIATIONS TO THE DEPARTMENT OF EDUCATION

	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	FTE
FY 2020-21				
B.E.S.T. Program lease purchase payments	\$15,000,000	\$0	\$15,000,000	0.0
School district audit payments	2,200,000	0	2,200,000	0.0
State share of districts' total program funding	(601,115,264)	(721,579,451)	120,464,187	0.0
B.E.S.T. Program cash grants	(100,000,000)	(100,000,000)	0	0.0
K-5 social and emotional health program	(2,500,000)	0	(2,500,000)	(1.0)
Retaining teachers grant program	(2,500,000)	0	(2,500,000)	(1.0)
Local school food purchasing programs	(675,255)	(675,255)	0	(0.4)
Advanced placement incentives pilot	(262,763)	0	(262,763)	(0.3)
Counselor corps grant program	(250,000)	(250,000)	0	0.0
Computer science education grants	(250,000)	(250,000)	0	0.0
Grow you own educator program	(22,933)	(22,933)	0	(0.3)
<b>Total FY 2020-21</b>	<b>(\$690,376,215)</b>	<b>(\$822,777,639)</b>	<b>\$132,401,424</b>	<b>(3.0)</b>

Reflects the following informational appropriations of federal funds for distribution to local education providers:

- \$510,000,000 from the Coronavirus Relief Fund in FY 2019-20.
- \$120,993,782 from the Elementary and Secondary School Emergency Fund for FY 2020-21.
- \$37,000,000 from the Coronavirus Relief Fund for FY 2020-21.

### H.B. 20-1420 ADJUST TAX EXPENDITURES FOR STATE EDUCATION FUND

Makes changes to state income tax expenditures as follows:

- For tax year 2020, requires additions to the taxable income of pass-through businesses and C corporations. These additions effectively reverse certain expanded income tax deductions allowed under the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act).
- For 2021 and 2022, requires pass-through business owners who claim a federal qualified business income deduction as allowed under the Tax Cuts and Jobs Act of 2017 (TCJA), to add back the amount of the deduction for the purposes of computing their state taxable income if their adjusted gross income (AGI) exceeds \$500,000 for single filers or \$1,000,000 for married taxpayers filing jointly. Taxpayers who report farm income are exempt from this requirement.
- Beginning in tax year 2021, extends the state earned income tax credit (EITC) to taxpayers who would otherwise qualify for the federal EITC but who are disqualified for not having a valid social security number. Beginning in tax year 2022, increase the state EITC to 15 percent of the federal EITC.

Increases General Fund revenue by \$94.1 million in FY 2020-21 and \$32.0 million in FY 2021-22. Makes transfers from the General Fund to the State Education Fund of \$113.0 million on March 1, 2021, and of \$23.0 million on March 1, 2022. Appropriates \$49,002 General Fund to the Department of Revenue for FY 2020-21. Appropriations to the Department of Revenue increase to \$724,379 General Fund and 8.5 FTE in FY 2021-22 and \$615,175 General Fund and 8.5 FTE in future years.

### H.B. 20-1422 FOOD PANTRY ASSISTANCE GRANT PROGRAM

Creates the Food Pantry Assistance Grant Program in the Department of Human Services to aid Colorado food pantries and food banks in the purchase of foods and to create new market opportunities for Colorado agricultural products. Appropriates \$500,000 from the CARE subfund in the General Fund to the Department of Human Services in FY 2019-20.

### H.B. 20-1423 SUSPEND SCHEDULED LEGISLATOR SALARY INCREASE

Suspends scheduled increases in the annual salary for members of the General Assembly. For members beginning their terms in the 2021 legislative session, freezes base compensation at \$40,242 for one year, until the beginning of the 2022 legislative session. Reduces the General Fund appropriation to the Legislative Department for FY 2020-21 for the General Assembly by \$46,887. This is a budget balancing bill.

## 2019 SESSION BILLS

### **S.B. 19-001 EXPAND MEDICATION-ASSISTED TREATMENT PILOT PROGRAM**

Extends the Medication-assisted Treatment (MAT) Pilot Program in the Department of Higher Education for an additional two years, increases program funding, expands the program's coverage area, and makes several other program changes. Pursuant to the provisions of the act, the Center for Research into Substance Use Disorder Prevention, Treatment, and Recovery Support Strategies at the University of Colorado School of Medicine makes grants to organizations providing medication-assisted treatment to persons with opioid use disorders in Pueblo county, Routt county, the San Luis Valley, and up to two additional counties through FY 2020-21. Provides an appropriation of \$2,500,000 from the Marijuana Tax Cash Fund to the Department of Higher Education, for allocation to the Regents of the University of Colorado, for FY 2019-20. This amount is expected to continue in FY 2020-21.

### **S.B. 19-002 REGULATE STUDENT LOAN EDUCATION LOAN SERVICERS**

Requires entities that service student loans to be licensed by the Department of Law and creates the Student Loan Ombudsperson to assist student loan borrowers. For FY 2019-20, appropriates \$115,273 General Fund and 1.4 FTE to the Department of Law.

### **S.B. 19-003 EDUCATOR LOAN FORGIVENESS PROGRAM**

Modifies and extends a teacher loan forgiveness pilot program in the Department of Higher Education to target hard-to-fill educator positions. The program had not been funded in recent years, and, prior to this act, was scheduled to repeal July 1, 2019. Specifies that eligible educators may receive up to \$5,000 in loan forgiveness for each year of employment in a qualified position, for up to five years. For FY 2019-20, provides an appropriation of \$623,969 to the Department of Higher Education for the program and reflects the assumption that 1.4 FTE will be required. These amounts are anticipated to increase to \$1,135,979 General Fund and 1.5 FTE in FY 2020-21 and \$2,635,979 and 1.5 FTE in FY 2023-24.

### **S.B. 19-005 IMPORT PRESCRIPTION DRUGS FROM CANADA**

Requires the Department of Health Care Policy and Financing to submit a request for federal approval for a program to import prescription drugs from Canada. Establishes parameters for the importation program. Allows expenditures for preparation of the request for federal approval, but prohibits expenditures for implementation until federal approval is received. For FY 2019-20, provides a net increase of \$971,802 total funds and 4.1 FTE to the Department of Health Care Policy and Financing, including an increase of \$1,041,802 General Fund and a decrease of \$70,000 federal funds. Also, provides \$134,719 reappropriated funds and 0.7 FTE for the Department of Law.

### **S.B. 19-006 ELECTRONIC SALES AND USE TAX SIMPLIFICATION SYSTEM**

Requires the Governor's Office of Information Technology to solicit bids for an electronic sales and use tax simplification system. Appropriates \$9,183,000 General Fund to the Office of the Governor for FY 2019-20 for the initial funding of the electronic sales and use tax simplification system. Additionally, appropriates \$817,000 General Fund to the Department of Revenue for FY 2019-20 to create and maintain a geographic information systems (GIS) database of jurisdictional boundaries of sales tax districts to calculate appropriate sales and use tax rates for individual addresses. Reappropriates this amount to the Office of the Governor to create and maintain this database.

### **S.B. 19-008 SUBSTANCE USE DISORDER TREATMENT IN CRIMINAL JUSTICE SYSTEM**

Makes several changes to state law concerning substance use disorders and the criminal justice system including the following:

- Requires county jails that accept state funding through the Department of Human Services' (DHS') Jail-based Behavioral Health Services Program to have a policy in place by January 1, 2020, that describes how medication-assisted treatment will be provided when necessary to confined individuals. Requires the Department of Corrections (DOC) to allow medication-assisted treatment to continue in cases where an inmate was receiving treatment in a county jail prior to transfer into DOC custody. Allows county sheriffs and the DOC to enter into agreements with treatment organizations to assist in the development and administration of medication-assisted treatment in jails and prisons. Appropriates \$492,750 General Fund to DOC for FY 2019-20, and indicates that DOC will require 1.6 FTE to implement the act.
- Appropriates \$1,963,832 General Fund to DHS for FY 2019-20, and indicates that DHS will require 1.5 FTE to implement the act. This funding includes: \$1,165,052 to increase the number of local co-responder programs from eight to eleven; and \$798,780 for medication-assisted treatment in county jails.
- Requires the Department of Public Health and Environment (CDPHE) to develop and implement the Harm Reduction Grant Program to reduce health risks associated with drug use and improve coordination between law enforcement agencies, public health agencies, and community-based organizations. Creates the Harm Reduction Grant Program Cash Fund to support the grant program and appropriates \$1,800,000 cash funds from the Marijuana Tax Cash Fund to the new fund for FY 2019-20. Reappropriates this same amount to CDPHE for FY 2019-20 and indicates that CDPHE will require 1.8 FTE to implement the act.
- Requires the Commission on Criminal and Juvenile Justice (CCJJ) in the Department of Public Safety to study and make recommendations on various issues concerning the treatment of individuals with substance use disorders who come into contact with the criminal justice system, and to report to the General Assembly by July 1, 2020. Appropriates \$40,300 General Fund to the Department of Public Safety for FY 2019-20.
- Establishes a new process for sealing convictions for certain drug-related offenses, including: level 4 drug felonies and any drug misdemeanor involving the possession of a controlled substance; a felony or misdemeanor conviction prior to October 1, 2013, where the offense would be classified as a level 4 drug felony or drug misdemeanor if it had been committed on or after that date; and any municipal violation involving a controlled substance.
- Directs the Substance Abuse Trend and Response Task Force to formulate a response to substance use disorder problems, including the use of drop-off treatment services, mobile and walk-in crisis centers, and withdrawal management programs for low-level drug offenders.

#### **S.B. 19-010 PROFESSIONAL BEHAVIORAL HEALTH SERVICES FOR SCHOOLS**

Modifies the Behavioral Health Care Professional Matching Grant Program (also known as the School Health Professionals Grant Program) to allow funding to be used for additional behavioral health care services, to change application requirements, and to clarify what positions qualify as school health professionals. For FY 2019-20, appropriates \$3.0 million cash funds from the Marijuana Tax Cash Fund and 1.0 FTE to the Department of Education.

#### **S.B. 19-015 CREATE STATEWIDE HEALTH CARE REVIEW COMMITTEE**

Creates the Health Care Review Committee as a permanent interim committee of the General Assembly. Appropriates a total of \$16,062 General Fund to the Legislative Department for FY 2019-20, including \$6,455 for the General Assembly and \$9,607 and 0.1 FTE for the Legislative Council Staff.

#### **S.B. 19-016 SEVERANCE TAX OPERATIONAL FUND DISTRIBUTION METHODOLOGY**

Changes the timing and budgeting of severance tax revenue to several grant programs administered by the Department of Natural Resources (DNR). Generally, the bill:

- Consolidates three transfers made to grant programs based on a forecast to a single transfer made annually on August 15 after severance taxes have been collected;
- Formally names programs in DNR funded with severance tax revenue as either Core Departmental Programs or Natural Resources and Energy Grant Programs;

- Increases the statutory reserve for Energy Grant Programs from 15 percent to 100 percent of authorized distributions; and
- Transfers any unspent revenue to the Severance Tax Perpetual Base Fund.

For additional information on the administration of severance tax, please see *Appendix G. Severance Tax Trust Fund and Operational Fund Overview*.

#### **S.B. 19-017 REQUIREMENTS FOR CDOT LAND ACQUISITIONS**

Replaces the current requirement that the Colorado Department of Transportation (CDOT) provide a written report to the Transportation Commission whenever land is to be acquired to alter a state highway with the requirement that a report be provided only when negotiations to acquire the land have failed and the Department determines that condemnation of the land is necessary. Saves the Department an estimated \$75,000 cash funds per year, but appropriations are unchanged because CDOT has continuous spending authority to spend the savings.

#### **S.B. 19-020 WILDLAND FIRE AIRSPACE PATROL SYSTEM**

Requires the Center of Excellence for Advanced Technology Aerial Firefighting to study and, if feasible, implement a system to patrol the airspace above a wildland fire. For FY 2019-20, appropriates \$350,000 General Fund to the Department of Public Safety.

#### **S.B. 19-030 REMEDYING IMPROPER GUILTY PLEAS**

Allows a defendant who is an immigrant and who has successfully completed a deferred judgment and sentence to petition the court for an order vacating the defendant's guilty plea on the grounds that the defendant was not properly advised of the adverse immigration consequences of that plea. The court must grant the motion unless the prosecution can prove by a preponderance of the evidence that the defendant will not suffer an immigration consequence or that the plea was constitutionally entered. For FY 2019-20 appropriates \$543,461 General Fund and 4.8 FTE to the Judicial Department and appropriates \$55,139 General Fund and 0.6 FTE to the Department of Law in anticipation of increased appeals.

#### **S.B. 19-035 DOR ENFORCEMENT MEASURES COLLECTION OF TAX OWED**

Clarifies the enforcement mechanisms available to the Department of Revenue (DOR) in circumstances of tax delinquency. Extends the one year statute of limitations on the assessment of any tax, penalty, or interest for any period during which the taxpayer's assets are under the control or custody of a court, and for six months thereafter or in a case under federal bankruptcy law during which the DOR is prohibited from seizing assets, and for six months thereafter. Specifies that for seizure and sales of vehicles, a government certificate of sale or court order is required to be accepted in lieu of a certificate of title for the purpose of transferring ownership and issuance of such a certificate voids previously issued titles to that motor vehicle. Specifies that any Colorado district court has jurisdiction to issue orders as necessary to collect delinquent taxes, penalty, or interest, including warrants to search premises to seize and sell a taxpayer's personal property. Clarifies that a person must surrender a delinquent taxpayer's property upon demand of the DOR with an exception if the person, at the time of the demand, has a valid right of setoff or an interest superior to the DOR's. Financial institutions must surrender any deposits within 21 days after service of the levy. Employers must surrender salary or wages within 21 days after the end of the taxpayer's pay period. A levy on salary or wages is continuous from the date when the levy is made until its release by the DOR, and may not exceed 25 percent of the taxpayer's disposable earnings. Persons who fail to surrender a delinquent taxpayer's property upon demand are liable for an amount equal to the value of the levied property, not to exceed the amount of the tax liability. Persons complying with orders to surrender property are discharged from any obligation to the delinquent taxpayer arising from the surrender. Appropriates \$6,750 cash funds from the Colorado DRIVES Vehicle Services Account in the Highway Users Tax Fund for IT programming for the DRIVES system for FY 2019-20.

**S.B. 19-036 STATE COURT ADMINISTRATOR REMINDER PROGRAM**

Establishes a reminder program in at least four judicial district courts, beginning January 1, 2020, which will remind defendants to appear at their scheduled court appearances. The program, which is to be operated by a vendor under contract with the Judicial Department, expands to all eligible courts by July 1, 2020. For FY 2018-19, appropriates \$203,612 General Fund to the Judicial Department.

**S.B. 19-040 ESTABLISH COLORADO FIRE COMMISSION**

Creates the Colorado Fire Commission to develop an integrated statewide process focused on the fire service's capacity to conduct fire management, preparedness, prevention, and response activities to safeguard lives, property, and natural resources, as well as increase the resiliency of local and regional communities. For FY 2019-20, appropriates \$174,183 General Fund and 0.8 FTE to the Department of Public Safety.

**S.B. 19-043 INCREASING NUMBER OF DISTRICT COURT JUDGES**

Increases the number of district court judges according to the following schedule.

JUDICIAL DISTRICT	NUMBER OF NEW JUDGESHIPS STARTING JULY 1, 2019	NUMBER OF NEW JUDGESHIPS STARTING JANUARY 1, 2020
1st	0	1
2nd	2	2
4th	1	1
8th	0	1
10th	1	0
13th	1	0
17th	0	1
18th	0	1
19th	1	1
21st	1	0
<b>TOTAL</b>	<b>7</b>	<b>8</b>

For FY 2019-20 appropriates \$7,417,731 General Fund and 53.7 FTE to the Judicial Department.

**S.B. 19-054 MILITARY VEHICLE MOTOR VEHICLE REGISTRATION**

Defines a demilitarized motor vehicle as a motor vehicle that was built for the U.S. Armed Forces, commonly used by the U.S. Armed Forces to transport persons or property over the highway, and purchased for a nonmilitary use. Exempts demilitarized motor vehicles from emissions requirements and allows persons to sell, register, or reregister a demilitarized motor vehicle with an emissions waiver certification. Allows demilitarized motor vehicles to be deemed roadworthy without a physical vehicle identification number (VIN) inspection and allows certificates of title to include information about a vehicle's status as a demilitarized motor vehicle. Appropriates \$45,000 cash funds to the Department of Revenue from the Colorado DRIVES Vehicle Services Account in the Highway Users Tax Fund for IT programming for the DRIVES system for FY 2019-20.

**S.B. 19-059 AUTOMATIC ENROLLMENT IN ADVANCED COURSES GRANT PROGRAM**

Creates the John W. Buckner Automatic Enrollment in Advanced Courses Grant Program in the Department of Education to provide assistance to local education providers that automatically enroll students in advanced courses. Defines advanced courses to include Advanced Placement courses, International Baccalaureate courses, and any courses designated by the local education provider as an honors, gifted, or accelerated course. Allows recipient to use grant funds to expand the number of advanced courses available, incentivize teachers to teach advanced courses, develop advanced course curriculum, and expand parent and student engagement. For FY 2019-20, appropriates \$250,000 General Fund and 0.3 FTE to the Department of Education.



**S.B. 19-061 SELF-CONTAINED BREATHING APPARATUS TESTING AND CERTIFICATION**

Authorizes the Department of Public Safety to promulgate rules that incorporate current federal standards for certification and recertification of self-contained breathing apparatus (SCBA) pressure vessels. Appropriates \$40,291 General Fund and 0.5 FTE to the Department of Public Safety.

**S.B. 19-063 INFANT AND CHILD CARE ACTION PLAN**

Requires the Department of Human Services and the Early Childhood Leadership Commission to develop a strategic action plan related to infant and family child care. Assumes state expenditures will increase in FY 2019-20 only. The bill anticipates the Department will receive \$50,688 in federal funds to implement this act.

**S.B. 19-064 RETAIN CRIMINAL JUSTICE PROGRAMS FUNDING**

Creates cash funds for use by four criminal justice programs in the Departments of Corrections, Public Health and Environment, and Local Affairs. Creates cash funds for use by the four programs and provides continuous appropriations from the new funds to allow expenditures of available funds over multiple fiscal years. With respect to the Department of Local Affairs, the act creates the Justice Reinvestment Crime Prevention Cash Fund and the Targeted Crime Reduction Grant Program Cash Fund to allow the Department to retain any General Fund appropriations for two Justice Reinvestment Crime Prevention Initiative programs that remain unspent at the end of FY 2018-19 and FY 2019-20. Extends by three years to September 1, 2023, both the repeal date for the small business lending program and the sunset review date for the grant program.

**S.B. 19-065 PEER ASSISTANCE EMERGENCY MEDICAL SERVICE PROVIDER**

Creates a peer health assistance program for emergency medical service providers, funded through fees collected from applicants for EMS certification. Selected programs must meet specific requirements addressing physical, emotional, and psychological problems among emergency medical service providers. For FY 2019-20, appropriates \$57,242 cash funds and 0.8 FTE from the Emergency Medical Services Account in the Highway Users Tax Fund to the Department of Public Health and Environment.

**S.B. 19-066 HIGH COST SPECIAL EDUCATION TRUST FUND GRANTS**

Creates the High Cost Special Education Trust Fund (trust fund), to be administered by the Colorado Special Education Fiscal Advisory Committee (SEFAC). On July 1, 2019, transfers \$2.5 million from the Marijuana Tax Cash Fund to the trust fund, which constitutes the principal of the trust fund and may not be appropriated, transferred, or expended. Continuously appropriates interest earnings on the trust fund to the Department of Education to provide grants to reimburse administrative units for high cost special education expenses (defined in the bill as expenses necessary to meet the needs of a single student in the preceding school year that exceed either \$100,000 or 2.5 percent of the administrative unit's annual audited operating expenses, whichever is less). Specifies reporting requirements for the SEFAC regarding the grant program. Repeals the bill on July 1, 2027, and transfers any remaining interest income to the General Fund and any remaining principal to the Marijuana Tax Cash Fund.

**S.B. 19-073 STATEWIDE SYSTEM OF ADVANCE MEDICAL DIRECTIVES**

Requires the Department of Public Health and Environment to create and administer a statewide electronic system of advance medical directives. Appropriates \$993,147 General Fund and 0.5 FTE to the Department of Public Health and Environment for FY 2019-20 to procure and maintain the advance medical directives system. Reappropriates \$750,000 of this amount to the Office of the Governor to provide information technology services.

**S.B. 19-086 UPDATE BUSINESS ENTITY LAWS**

Makes changes to the Colorado Business Corporation Act and the Colorado Corporations and Associations Act, including provisions governing articles of incorporation, mergers, standards of conduct for employees and officers, and procedures for seeking judicial dissolution. Appropriates \$59,360 from the Department of State Cash Fund to the Department for FY 2019-20.

**S.B. 19-094 EXTEND SCHOOL FINANCE INTERIM COMMITTEE**

Reauthorizes the Legislative Interim Committee on School Finance (originally authorized in H.B. 17-1340 to meet during the 2017 and 2018 interims) to meet during the 2019 interim to discuss programs administered by the Department of Education. Allows the committee to use any uncommitted FY 2018-19 appropriations to support FY 2019-20 expenditures.

**S.B. 19-095 FIVE-YEAR REVIEW OF HIGHER EDUCATION FUNDING FORMULA**

Requires the Colorado Commission on Higher Education (CCHE) in the Department of Higher Education to conduct a review of the higher education funding formula by November 1, 2019 and every five years thereafter, and submit the review report to the Governor, Joint Budget Committee, and the education committees of the General Assembly.

**S.B. 19-096 COLLECT LONG-TERM CLIMATE CHANGE DATA**

Requires the Air Quality Control Commission to promulgate rules requiring greenhouse gas-emitting entities to monitor and publicly report their emissions. The Air Quality Control Division is required to update the statewide inventory of greenhouse gas emissions by sector, no less than every two years and forecast Colorado's greenhouse gas emissions for 2025. Appropriates \$265,589 General Fund to the Department of Public Health and Environment for FY 2019-20, based on the assumption that it will require an additional 3.1 FTE.

**S.B. 19-108 JUVENILE JUSTICE REFORM**

Establishes the Juvenile Justice Reform Committee, which will develop screening and assessment tools for use in the juvenile justice system. Among other changes, establishes a graduated system of responses and incentives for juvenile parolees and probationers. For FY 2019-20, appropriates

- \$68,598 General Fund and 0.8 FTE to the Judicial Department for a policy analyst to participate and advise the Juvenile Justice Reform Committee;
- \$500,000 General Fund to the Department of Human Services to license a risk and needs assessment tool, contract with a consultant to adopt the tool for use in the state, and to implement the tool statewide; and
- \$6,315 General Fund to the Legislative Department to reimburse legislators for per diem and expenses related to their service on the Juvenile Justice Reform Committee.

**S.B. 19-128 FY 2018-19 SCHOOL FINANCE MID-YEAR ADJUSTMENTS**

For the Department of Education, makes mid-year school finance-related statutory adjustments to reflect actual pupil counts and the local revenues available for school finance in FY 2018-19. Maintains the budget stabilization factor at the original appropriated level for FY 2018-19 (\$672.4 million). After adjusting for a \$56.1 million increase in local revenues available for school finance (above the level anticipated in the original FY 2018-19 appropriation) and a lower-than-anticipated student count (reducing total program funding before the application of the budget stabilization factor by \$21.5 million), maintains the budget stabilization factor at a constant level. This allows for a reduction of \$77.6 million in state funding for the state share of districts' total program funding. For FY 2018-19, makes the following changes:

- Reduces appropriations for the state share of districts' total program funding by \$77,590,425 total funds, including \$64,690,300 General Fund and \$12,900,125 cash funds from the State Education Fund.
- Reduces appropriations for hold-harmless full-day kindergarten funding by \$12,065 cash funds from the State Education Fund.
- Adds \$545,147 General Fund to support a technical correction to at-risk funding provided to Charter School Institute schools in prior years.

**S.B. 19-135 STATE PROCUREMENT DISPARITY STUDY**

Requires the Department of Personnel to commission an independent study of the state procurement process to determine whether disparities exist between the participation of historically underutilized businesses, defined as those owned and controlled by members of an ethnic or racial minority; the lesbian, gay, bisexual, and transgender

community; disabled persons; or women. Requires the study be completed by December 1, 2020, and the department must include the findings of the study and any additional recommendations in the department's State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act hearing. Authorizes in statute appropriations made in one fiscal year to be expended until the end of the following fiscal year. For FY 2019-20, appropriates \$650,000 General Fund to the Department of Personnel.

#### **S.B. 19-136 EXPAND DIVISION OF YOUTH SERVICES PILOT PROGRAM**

Expands the therapeutic and rehabilitation culture pilot program in the Division of Youth Services to a second pilot program location and extends the existing pilot program at the Lookout Mountain Youth Services Center by one year. Appropriates \$259,562 General Fund and 0.5 FTE to the Department of Human Services for FY 2019-20 to:

- Renovate existing facility space to create a youth residence for the new pilot program that is home-like and therapeutic;
- Contract with a vendor to implement a second pilot program site and to continue the current vendor's contract by one year at the Lookout Mountain Youth Services Center; and
- Add a support position to liaison between the program and the vendor, coordinate assignments, and train existing facility staff.

#### **S.B. 19-137 EXTEND THE COLORADO STUDENT LEADERS INSTITUTE**

Continues the Colorado Student Leaders Institute in the Department of Higher Education through June 30, 2024. The program provides a competitive 4-week summer education program for up to 100 high school students at the University of Colorado-Denver campus. Prior to the act, the program was scheduled to repeal June 30, 2019. For FY 2019-20, provides an appropriation of \$218,825 General Fund to the Department of Higher Education and reflects an assumption that an additional 1.0 FTE will be required. This level of funding is anticipated to continue in future years.

#### **S.B. 19-139 MORE CRCSA OFFICES**

Requires, by January 1, 2020, that the Division of Motor Vehicles (DMV) in the Department of Revenue issue SB 13-251 documents at eight offices, including the DMV offices already issuing documents, and at ten offices by July 1, 2020, in varying geographic areas around the state. The Colorado Road and Community Safety Act (S.B. 13-251) authorizes the DMV to issue a driver's license, identification card, or instruction permit (SB 13-251 documents) to an individual who is either temporarily lawfully present in the U.S. or a Colorado resident who is not a U.S. citizen and does not have permanent residency status. CRCSA or S.B. 13-251 documents are valid for three years after issuance, with an exception for minor driver licenses. Appropriates \$1.7 million cash funds from the Licensing Services Cash Fund and 21.6 FTE to DOR for FY 2019-20.

#### **S.B. 19-142 HARD CIDER EXEMPTION WINE INDUSTRY DEVELOPMENT ACT**

Exempts produce used in the production of hard cider from the excise tax and, for the purposes of the Wine Industry Development Act, exempts hard cider from the definition of wine. Appropriates \$2,000 General Fund to the Department of Revenue for IT programming for the GenTax system for FY 2019-20.

#### **S.B. 19-143 PAROLE CHANGES**

Makes various changes to prison population management options to reduce the pressure on prison capacity, including changes to parole revocations and increases in the number of individuals eligible for re-entry services. Changes facility security level designations. Appropriates \$25,200 General Fund to the Department of Corrections for FY 2019-20 to update existing systems to generate various eligible offender lists to forward to the State Parole Board. Reappropriates this amount to the Governor's Office of Information Technology (OIT) to provide information technology services.

#### **S.B. 19-158 SUNSET PET AND ANIMAL CARE & FACILITIES ACT**

Continues the Pet and Animal Care & Facilities Act program until September 1, 2026, which regulates pet animal breeders, groomers, trainers, boarders, shelters, rescues, and sellers. Pet animals include dogs, cats, rabbits, guinea

pigs, hamsters, mice, rats, gerbils, ferrets, birds, fish, reptiles, amphibians, and invertebrates. The Agriculture Commissioner promulgates rules pertaining to minimum standards of physical facility, sanitation, ventilation, temperature, humidity, spatial and enclosure requirements, nutrition, humane care, and medical treatment. The Division of Animal Industry in the CDA conducts four types of inspections: pre-license, routine, complaint-based, and follow up. When violations are noted during an inspection, licensees are expected to correct them. If a licensee commits enough violations, disciplinary action can be taken. Appropriates \$123,007 General Fund to the Department of Agriculture for FY 2019-20, which amount is based on an assumption that the department will require an additional 1.6 FTE to continue the program. Additionally, appropriates \$2,000 reappropriated funds from the Department of Agriculture to the Department of Personnel for vehicle lease payments.

**S.B. 19-161 SUNSET COUNCIL FOR PARENT INVOLVEMENT IN EDUCATION**

Extends the State Advisory Council for Parent Involvement in Education indefinitely. Adds two council members to the council. For FY 2019-20, appropriates \$2,000 General Fund to the Department of Education.

**S.B. 19-165 INCREASE PAROLE BOARD MEMBERSHIP**

Increases the number of State Parole Board members from seven to nine. Appropriates \$293,774 General Fund and 1.8 FTE to the Department of Corrections for FY 2019-20 for the additional members. Reappropriates \$5,936 to the Governor's Office of Information Technology (OIT) to change the Board's computer system.

**S.B. 19-166 POST BOARD REVOKE CERTIFICATION FOR UNTRUTHFUL STATEMENTS**

Requires the revocation of a peace officer standards and training (POST) certification when the POST Board receives notice from a law enforcement agency that a peace officer made untruthful statements or omitted material facts. For FY 2019-20, appropriates \$40,056 cash funds and 0.6 FTE from the P.O.S.T. Board Cash Fund to the Department of Law.

**S.B. 19-167 HONOR COLORADO PROFESSIONAL FIRE FIGHTERS**

Creates the Colorado Professional Fire Fighters group special license plate to be available by January 1, 2020. The license plate is available to all applicants that pay a one-time special license plate fee of \$50 and give a donation to a designated Colorado nonprofit organization. Nonprofit organizations may only use the donations to directly support first responders, firefighters, and family members of first responders and firefighters, and must report to the Department of Revenue (DOR) annually regarding the collection and use of the donation. Appropriates \$56,364 cash funds to DOR, including \$51,864 from the License Plate Cash Fund for license plate ordering and \$4,500 from the Colorado DRIVES Vehicle Services Account in the Highway Users Tax Fund for IT programming for the DRIVES system for FY 2019-20.

**S.B. 19-171 APPRENTICESHIPS AND VOCATIONAL TECHNICAL TRAINING**

Requires the Department of Labor and Employment to create a guide to apprenticeships in Colorado. Appropriates \$25,507 General Fund to the Department for FY 2019-20, based on an assumption that it will require an additional 0.4 FTE. Anticipated to require appropriations of \$31,526 General Fund for 0.5 FTE for FY 2020-21 and subsequent years.

**S.B. 19-172 PROTECT FOR UNLAWFUL ABANDONMENT AND CONFINEMENT**

Expands crimes against an at-risk person by creating new offenses for unlawful abandonment or false imprisonment of an at-risk person. Unlawful abandonment of an at-risk adult is a class 1 misdemeanor, while false imprisonment an at-risk person is either a class 1 misdemeanor or a class 6 felony, depending on the circumstances of the crime. Increases prison operating, capital construction, and parole costs for the Department of Corrections by a total of \$138,774 over the five-year period beginning in FY 2019-20.

**S.B. 19-173 COLORADO SECURE SAVINGS PLAN BOARD**

Creates the Colorado Secure Savings Board in the Office of the State Treasurer to study the feasibility of creating a retirement savings plan for private sector employees. The board consists of the State Treasurer and eight additional

members appointed by the Governor. The board is required to conduct the following four analyses and prepare a final report to the Governor and the General Assembly on its findings by February 28, 2020:

- a detailed market and financial analysis to determine the financial feasibility and effectiveness of creating the Colorado Secure Savings Plan in the form of an automatic enrollment payroll deduction to an individual retirement account;
- a detailed market and financial analysis to determine the financial feasibility and effectiveness of a small business marketplace plan to increase the number of businesses in the state that offer retirement savings plans for their employees, to be administered by the Department of Labor and Employment;
- an analysis of the effects that greater financial education among Colorado residents would have on increasing their retirement savings; and
- an analysis of the effects that not increasing Coloradans' retirement savings would have on current and future state and local government expenditures.

Appropriates \$800,000 General Fund to the Treasury Department for FY 2019-20.

#### **S.B. 19-175 SERIOUS BODILY INJURY VULNERABLE ROAD USER PENALTIES**

Creates a new class 1 traffic misdemeanor of causing serious bodily injury to a vulnerable person while carelessly driving. A violation results in 12 points issued to the driver's license which results in a license suspension and may subject a violator to a restitution order, attendance at a driver improvement course, or performance of public service for no more than 320 hours. Defines a vulnerable road user, and includes, pedestrians, bicycles, and peace officers outside their vehicles. Appropriates \$1,575 cash funds to the Department of Revenue for FY 2019-20 from the Licensing Services Cash Fund for IT programming for the DRIVES system.

#### **S.B. 19-176 EXPAND CONCURRENT ENROLLMENT OPPORTUNITIES**

Changes state law related to concurrent enrollment. Requires concurrent enrollment opportunities to be offered at no tuition cost to qualified students. Clarifies what types of courses qualify as concurrent enrollment courses. Beginning in FY 2020-21, requires local education providers that enroll high school students to offer concurrent enrollment courses, including academic courses and career and technical courses. By July 1, 2020, requires the Departments of Education and Higher Education to make available a website providing specific information on concurrent enrollment options and requirements. Creates the Concurrent Enrollment Expansion and Innovation Grant Program within the Department of Education to provide grants to partnerships between local education providers and institutions of higher education that begin to offer or expand concurrent enrollment opportunities. Specifies grant application requirements as well as the authorized uses of grant funds. For FY 2019-20, appropriates a total of \$1,544,916 and 0.8 FTE to the Department of Education, including \$1,500,000 cash funds from the Marijuana Tax Cash Fund and 0.3 FTE for the Concurrent Enrollment Expansion and Innovation Grant Program and \$44,916 General Fund and 0.5 FTE for website development and support provided to local education providers. Also appropriates \$105,000 General Fund to the Department of Higher Education and reappropriates that amount (and 1.0 FTE) to the State Board for Community Colleges and Occupational Education State System Community Colleges.

#### **S.B. 19-178 PROGRAM TO SUBSIDIZE ADOPTIONS FOR CHILDREN AND YOUTH**

Repeals and reenacts, with amendments, provisions of the state's adoption assistance program that provides cash subsidies and other noncash benefits to families who adopt eligible children and youth who might not otherwise be adopted. For FY 2019-20, appropriates \$60,204 total funds, including \$42,143 General Fund, to the Department of Human Services for use by the Office of Information Technology Services for Colorado TRAILS and states the assumption that the Department will receive \$18,061 in federal funds. Reappropriates \$60,204 to the Governor's Office of Information Technology to provide information technology services to the Department of Human Services.

**S.B. 19-179 ENHANCE SCHOOL SAFETY INCIDENT RESPONSE GRANT PROGRAM**

Modifies and provides funding for the Enhance School Safety Incident Response Program created in H.B. 18-1413 (School Safety Grant Program). For FY 2019-20, appropriates \$1,150,000 cash funds from the School Safety Resource Center Cash Fund to the Department of Public Safety.

**S.B. 19-180 EVICTION LEGAL DEFENSE FUND**

Creates the Eviction Legal Defense Fund, from which grants are awarded to nonprofit organizations that provide legal advice, counseling, and representation to indigent clients facing or at risk of eviction. For FY 2019-20, appropriates \$750,000 General Fund to the Eviction Legal Defense Fund and then reappropriates this amount to the Judicial Department.

**S.B. 19-181 PROTECT PUBLIC WELFARE OIL & GAS OPERATIONS**

Modifies the composition and the regulatory charge of the Colorado Oil and Gas Conservation Commission (COGCC) in the Department of Natural Resources (DNR), expands the regulatory charge of the Colorado Department of Public Health and Environment (CDPHE), imposes new requirements on oil and gas operators, and provides additional regulatory authority over oil and gas operations to local governments. Requires the COGCC to promulgate rules that may result in future workload changes, which cannot be quantified with current data. For FY 2019-20, appropriates a total of \$851,010 total funds including:

- \$763,180 cash funds from the Oil and Gas Conservation and Environmental Response Fund to the Oil and Gas Conservation Commission in the Department of Natural Resources, which amount is based on the assumption it will need an additional 5.0 FTE;
- \$186,534 reappropriated funds from the previous appropriation to the Department of Law for the provision of legal services primarily for rulemaking guidance and is based on the assumption it will require 1.0 FTE; and
- \$87,830 cash funds from the Wildlife Cash Fund to the Colorado Parks and Wildlife, which is based on the assumption it will require 1.0 FTE

**S.B. 19-186 EXPAND AG CHEMICAL MANAGEMENT PROGRAM AND PROTECT SURFACE WATERS**

Changes the term *groundwater* to *state waters* in statute, which expands the authority for the Agriculture Commissioner to regulate actions that prevent or remedy introduction of agricultural chemicals from subsurface water only to include both surface water and groundwater. Appropriates \$239,592 cash funds from the Plant Health, Pest Control, and Environmental Protection Cash Fund, to the Department of Agriculture for FY 2019-20, which amount is based on an assumption that the department will require an additional 0.6 FTE to implement the act. Additionally, appropriates \$21,875 reappropriated funds to CDPHE for FY 2019-20, based on the assumption that it will require an additional 0.2 FTE, and provides \$1,000 reappropriated funds from the Department of Agriculture to the Department of Personnel for vehicle lease payments.

**S.B. 19-188 FAMILY MEDICAL LEAVE INSURANCE PROGRAM**

Requires the Department of Labor and Employment (CDLE) to perform or contract for analyses concerning the implementation of a paid family and medical leave program for all employees in the state. Creates a task force in CDLE to make recommendations on program implementation. Requires the Department of Public Health and Environment (CDPHE) to develop a report on health benefits related to paid family leave. Appropriates \$165,487 General Fund to CDLE for FY 2019-20, based on an assumption that it will require an additional 0.5 FTE. Appropriates \$17,004 General Fund to CDPHE for FY 2019-20, based on an assumption that it will require an additional 0.1 FTE.

**S.B. 19-190 TEACHER PREPARATION PROGRAM SUPPORT**

Requires the Colorado Departments of Education and Higher Education to adopt guidelines and best practices for teacher preparation programs at institutions of higher education. Creates a grant program to support mentor teachers who oversee pre-service teacher candidates in clinical experience. For FY 2019-20, provides an appropriation of \$1,217,787 General Fund to the Department of Higher Education and reflects the assumption that an additional 0.9 FTE will be required. The act is anticipated to require an appropriation to the Department of Higher Education of \$1,172,527 General Fund and 0.5 FTE in FY 2020-21 and future years.

**S.B. 19-191 PROMPT PRETRIAL LIBERTY AND FAIRNESS**

Requires each judicial district to develop a plan to set bond for in-custody defendants within 48 hours of arrest. Requires the Judicial Department to determine the cost of implementing these plans and report to the General Assembly by November 1, 2019. Regardless of this report, requires sheriffs, within two hours of receiving bond information from the court, to allow bond to be posted by defendants, sureties, or others. Limits bond processing fees and other costs. Requires jails to release defendants within 4 hours after the defendant is present in the jail and bond has been posted. Extends the 4-hour release period to 24 hours if the defendant is fitted with an electronic monitor. Under prior law, if the defendant owed court costs, fees, fines, restitution, or surcharges at the time of discharge from all liability under the bond, the court could sometimes order that the bond be applied to pay these obligations. The bill reduces the circumstances under which a court can make such orders, which reduces revenue collected by the Department.

**S.B. 19-195 BEHAVIORAL HEALTH SERVICES FOR CHILDREN AND YOUTH**

Requires the Department of Health Care Policy and Financing (HCPF) and the Department of Human Services (DHS) to work collaboratively to provide Medicaid-covered wraparound services for children and youth at risk of out-of-home placement or who are currently in out-of-home placement. Requires HCPF to seek federal authorization to provide such services by July 1, 2020, and upon federal authorization, requires that managed care entities implement such services. Requires DHS to create three new tools to assess, screen, and provide a single referral and entry point for children with mental or behavioral health issues. Requires the Department of Public Health and Environment to provide free training for providers on these tools. Provides \$1,391,387 total funds, including \$619,484 General Fund and \$771,903 federal funds, and 3.9 FTE for HCPF for FY 2019-20. Provides \$442,449 total funds, including \$142,449 General Fund and \$300,000 reappropriated funds transferred from HCPF, and 1.5 FTE for the Department of Human Services for FY 2019-20.

**S.B. 19-198 CONTINUED MANAGEMENT OF WASTE TIRES**

Recreates the End User Fund and rebate program that repealed January 1, 2018, and specifies that 75.0 percent of the waste tire fee be deposited into the fund. The remaining 25.0 percent will be deposited into the renamed Waste Tire Administration, Enforcement, Market Development, and Cleanup Fund (Waste Tire Fund). Increases the waste tire fee to \$2.00 per tire beginning January 1, 2020, and returns the fee to \$0.55 per tire on January 1, 2024. Appropriates \$3,262,500 cash funds to the Department of Public Health and Environment for FY 2019-20.

**S.B. 19-199 READ ACT IMPLEMENTATION MEASURES**

Makes statutory changes to the Colorado Reading to Ensure Academic Development (READ) Act. Requires early literacy programming and services to be evidence-based and focus on reading competency in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension. Requires local education providers to employ multi-tiered systems of supports for students whose reading skills are below grade level expectations. By FY 2021-22, requires local education providers to ensure that each early grade teacher completes evidence-based training in teaching reading. Requires the Department of Education to provide such training at no cost to any local education provider that requests assistance. Adds reporting requirements for local education providers receiving per pupil intervention funds. Beginning in FY 2019-20, requires the Department of Education to contract with an outside entity to develop and implement a public information campaign related to the importance of reading and to highlight local education providers that are achieving success (with a maximum cost of \$500,000 per year). Requires the Department of Education to contract with an independent evaluator to conduct

a multi-year evaluation of the impact of early literacy programs (including both per pupil intervention funding and the Early Literacy Competitive Grant Program), with a maximum cost of \$750,000 per year. For FY 2019-20, eliminates the Long Bill appropriation of \$6,243,932 cash funds and 8.0 FTE for the Early Literacy Competitive Grant Program and instead appropriates a total of \$39,378,678 cash funds and 12.2 FTE as follows:

- \$7,500,000 (including \$5,378,678 from the Marijuana Tax Cash Fund and \$2,121,322 from the Early Literacy Fund) for the Early Literacy Competitive Grant Program.
- \$2,702,557 from the Early Literacy Fund for evidence-based training provided to teachers (upon request by local education providers).
- \$1,664,570 from the Early Literacy Fund and 11.7 FTE for early literacy program administration, technical assistance, and monitoring activities.
- \$750,000 from the Early Literacy Fund for the multi-year independent evaluation.
- \$500,000 from the Early Literacy Fund and 0.5 FTE for the public information campaign.
- \$26,261,551 from the Early Literacy Fund for early literacy per pupil intervention funding.

#### **S.B. 19-202 VOTING RIGHTS FOR VOTERS WITH DISABILITIES**

Requires the Department of State to establish procedures to enable voters with disabilities to mark a ballot using assistive technologies. Appropriates \$50,000 cash funds to the Department of State for FY 2019-20.

#### **S.B. 19-203 LEGISLATIVE APPROPRIATION BILL**

Legislative appropriation act for FY 2019-20.

#### **S.B. 19-204 PUBLIC SCHOOL LOCAL ACCOUNTABILITY SYSTEMS**

Creates the Local Accountability System Grant Program to support local accountability systems that supplement the state accountability system. Specifies minimum components of grant applications. Authorizes grants on a three-year cycle and allows grant awards of between \$25,000 and \$50,000 per budget year for individual local education provider (LEP) applicants and no more than \$75,000 per budget year for groups of LEPs. Requires that at least one grant recipient is a rural LEP or group of rural LEPs. Allows LEPs that implement a local accountability system to submit a supplemental performance report to the Department of Education. Requires the Department of Education to contract with an external evaluator in the third year of the program to prepare a summary evaluation report, including quantitative and qualitative measures, of the implementation of local accountability systems that receive grants. Requires the Department of Education to report annually to the General Assembly on the implementation of local accountability systems and the performance of the grant program. For FY 2019-20, appropriates \$493,097 General Fund and 0.4 FTE to the Department of Education.

#### **S.B. 19-205 HONOR SERVICE OF WOMEN VETERANS**

Creates the U.S. Women Veteran military license plate. The license plate is available to honorably discharged or retired members of the U.S. Armed Forces who submit the required forms and pay a one-time special plate fee of \$50. Appropriates \$14,771 cash funds to the Department of Revenue, including \$10,946 from the License Plate Cash Fund for license plate ordering and \$3,825 from the Colorado DRIVES Vehicle Services Account in the Highway Users Tax Fund for IT programming for the DRIVES system for FY 2019-20.

#### **S.B. 19-207 LONG BILL**

General appropriations act for FY 2019-20. Includes supplemental appropriations to FY 2018-19 and FY 2017-18.

#### **S.B. 19-208 STATE EMPLOYEE RESERVE FUND TRANSFER**

Transfers \$23,000,000 one-time from the State Employee Reserve Fund to the General Fund in FY 2019-20. Of this amount, \$13.0 million is to cover a portion of the cost of staff raises at the Department of Corrections.



**S.B. 19-209 PACE PROGRAM FUNDING METHODOLOGY**

Repeals a statutory requirement that the Department of Health Care Policy and Financing use a "grade of membership" method in determining rates for the Program for All-Inclusive Care for the Elderly (PACE) and instead requires the Department to meet with PACE organizations to consider funding methodologies for future years. Provides \$13,510,958 total funds, including \$6,755,479 General Fund and \$6,755,479 federal funds, to the Department of Health Care Policy and Financing in FY 2019-20, based on estimated PACE rates without the change to the "grade of membership" method.

**S.B. 19-210 JUVENILE DETENTION BEDS**

Reduces the number of detention beds within the Division of Youth Services from 382 to 327 (decrease of 55 beds). Reduces the Department of Human Services' FY 2019-20 appropriation by \$1,886,812 General Fund and 31.5 FTE.

**S.B. 19-211 MENTAL HEALTH CRIMINAL DIVERSION PROGRAM**

Extends the Mental Health Criminal Justice Diversion pilot program, which operates in four judicial districts, until 2022; eliminates the \$750,000 cap on total grant awards; and requires the Judicial Department to submit reports to the General Assembly on the pilot program. For FY 2019-20, appropriates \$442,543 General Fund to the Judicial Department.

**S.B. 19-212 APPROP GENERAL FUND IMPLEMENT STATE WATER PLAN**

Appropriates \$8.3 million General Fund to the Colorado Water Conservation Board (CWCB) for FY 2019-20 to fund the Water Plan Implementation Grant Program. This appropriation comes with a three-year roll-forward spending authority provision to accommodate the Program's reimbursement schedules and project timelines. The bill also appropriates \$1.7 million General Fund to the CWCB for FY 2019-20 for stakeholder outreach and technical analysis to develop a water resources demand management program.

**S.B. 19-214 CAPITAL-RELATED TRANSFERS OF MONEY**

Makes a number of FY 2019-20 transfers to the Capital Construction Fund (CCF) and the Controlled Maintenance Trust Fund (CMTF). Transfers to the CCF total \$104,538,665 and include:

- \$103,038,665 from the General Fund;
- \$500,000 from the General Fund Exempt account; and
- \$1,000,000 from the State Historical Fund.

Of the \$103,038,665 transferred from the General Fund, \$12,342,676 is transferred to the IT Capital Account in the CCF to pay costs associated with capital IT projects.

Transfers to the CMTF total \$42,000,000 to replace funds transferred out in FY 2018-19 for executive orders.

**S.B. 19-215 PARENTS ENCOURAGING PARENTS CONFERENCE**

Requires the Department of Education to provide up to four Parents Encouraging Parents (PEP) conferences per year for parents and families of children with disabilities. Specifies provisions for the conferences, including logistics, application procedures, and conference curricula. Requires the Department of Education to provide lodging and food for conferences. Provides state funding for food for the conferences, while federal funds cover other costs such as lodging, presenters, facilitators, materials, and translation and interpretive services. For FY 2019-20, appropriates \$68,000 General Fund to the Department of Education.

**S.B. 19-216 HIGH SCHOOL INNOVATIVE LEARNING PILOT PROGRAM**

Creates the High School Innovative Learning Pilot Program in the Department of Education. Defines an innovative learning opportunity as learning that typically occurs outside of the classroom, including work-based learning, capstone projects, and other experiences designed to help students develop post-secondary and workforce related

skills. Allows LEPs to propose innovative learning plans to apply to participate in the pilot program. Specifies application and selection criteria. In FY 2019-20, directs the State Board of Education to select up to five LEPs to participate in the pilot program starting in FY 2020-21. Authorizes the State Board to select additional participants for FY 2021-22 and subsequent years, with a stated goal of one hundred percent participation by FY 2025-26. Allows pilot program participants to count students participating in innovative learning opportunities as full-time students for funding purposes (students that would otherwise be counted as part-time students), regardless of the actual amount of instructional time for which the student is enrolled. For FY 2019-20, appropriates \$129,563 General Fund and 0.3 FTE to the Department of Education.

#### **S.B. 19-218 SUNSET MEDICAL MARIJUANA PROGRAM**

Continues the Medical Marijuana Program in the Department of Public Health and Environment through September 1, 2028. Appropriates \$560,143 cash funds and 0.4 FTE to the Department of Regulatory Agencies for FY 2019-20 to investigate and take enforcement action against providers violating the statutory requirements for recommending medical marijuana to a patient. Of this amount, \$535,456 and 2.9 FTE is reappropriated to the Department of Law for the provision of legal services to the Department of Regulatory Agencies. Additionally, appropriates \$114,007 cash funds and 0.2 FTE to the Department of Public Health and Environment for FY 2019-20 to promulgate rules regarding the length of time that a registry identification card is valid for patients with a disabling medical condition.

#### **S.B. 19-220 HEMP REGULATION ALIGNMENT WITH 2018 FEDERAL FARM BILL**

Authorizes the Agriculture Commissioner to draft and submit a hemp management plan in accordance with requirements set forth by the Secretary of the United States Department of Agriculture (USDA) pursuant to the Agricultural Improvement Act of 2018, also known as the 2018 Federal Farm Bill. The commissioner may consult with stakeholders in developing the plan. The bill also modifies the definition of industrial hemp or hemp to conform to the federal definition, which prevents hemp from containing no more than 0.3 percent of the psychoactive content from Delta-9 Tetrahydrocannabinol (THC). Appropriates \$406,470 cash funds from the Industrial Hemp Registration Program Cash Fund to the Department of Agriculture in FY 2019-20, which amount is based on an assumption that the department will require an additional 4.6 FTE to implement the act. Additionally, the bill appropriates \$1,000 reappropriated funds from the Department of Agriculture to the Department of Personnel for vehicle lease payments.

#### **S.B. 19-221 CWCB CONSTRUCTION FUND PROJECTS**

Appropriates \$19,355,000 cash funds from the CWCB Construction Fund to the Department of Natural Resources for various water-related projects. Authorizes the CWCB to make a loan of up to \$15.2 million from the CWCB Construction Fund for the Walker Recharge Project. The bill also authorizes the following transfers:

- \$10,000,000 from the Severance Tax Perpetual Base Fund to the CWCB Construction Fund to support studies, programs, or projects that assist in implementing the Colorado Water Plan;
- \$2,500,000 from the CWCB Construction Fund to the Water Supply Reserve Fund to support water basin roundtable approved projects;
- up to \$2,000,000 from the CWCB Construction Fund to replenish the continuously-appropriated Litigation Fund;
- up to \$500,000 from the CWCB Construction Fund to replenish the continuously-appropriated Flood and Drought Response Fund; and
- up to \$500,000 from the CWCB Construction Fund to replenish the continuously-appropriated Feasibility Study Small Grant Fund.

**S.B. 19-222 BEHAVIORAL HEALTH CARE FOR INDIVIDUALS AT RISK**

Requires the Department of Health Care Policy and Financing (HCPF) and the Department of Human Services (DHS) to improve access to behavioral health services for individuals at risk of institutionalization. Requires HCPF to:

- Develop measurable outcomes to monitor efforts to prevent Medicaid recipients from becoming involved in the criminal or juvenile justice system;
- Determine if a federal waiver or alternative plan is most appropriate to provide long-term behavioral health inpatient services to individuals with a high level of need; and
- Work with managed care entities to create a way to incentivize behavioral health providers to accept Medicaid recipients that need high levels of behavioral health services.

Requires DHS to develop and implement admission criteria that ensure individuals have been evaluated for the least restrictive level of care prior to admission to an inpatient civil bed at the Mental Health Institutes. States that geographic location, current health care provider, and payer type are not the primary determining factor in whether an individual has access to a civil inpatient bed. Also requires DHS to:

- Collaborate with HCPF to develop an implementation plan to increase the number of high-intensity behavioral health treatment programs statewide and submit a report to the Joint Budget Committee outlining the progress of the implementation plan; and
- Collaborate with an advisory body created by the bill to develop a comprehensive proposal to strengthen and expand the safety net system that provides behavioral health services for individuals with severe behavioral health disorders and implement the proposal along with an associated funding model.

Provides \$150,000 total funds for HCPF for FY 2019-20, including \$51,000 General Fund, \$24,000 cash funds, and \$75,000 federal funds. Indicates that DHS anticipates receiving \$220,707 in federal funds for FY 2019-20 and that DHS will require 1.0 FTE to implement the act.

**S.B. 19-223 ACTIONS RELATED TO COMPETENCY TO PROCEED**

Makes various changes to the process when a defendant's competency to proceed is raised in a criminal proceeding. When a defendant's competency to proceed is raised, the act:

- Changes the timing of various matters;
- Clarifies where restoration services are to be provided;
- Expands the requirements for a competency evaluation report; and
- Clarifies when defendants are to be released following an evaluation or restoration services, including reducing the maximum time period that a defendant determined incompetent to proceed may be detained.

Requires the Department of Human Services (DHS) to:

- Require county jails, subject to available appropriations, to assist in the provision of interim mental health services for individuals who have been ordered to undergo inpatient competency restoration and are awaiting admission to an inpatient bed;
- Coordinate with other agencies to ensure the defendant who has been restored to competency and returned to county jail or the community receives ongoing services and medication;
- Work with the Judicial Department to develop an electronic system to track the status of defendants for whom competency to proceed has been raised;
- Convene a group of experts to create a placement guideline for use in determining where restoration services should be provided; and
- Partner with an institution of higher education to develop and provide training in competency evaluations.

On and after January 1, 2020, requires competency evaluators (with some exceptions) to have attended training. Requires the Judicial Department, the Office of the State Public Defender, the Alternate Defense Counsel, and

district attorneys to train attorneys and other employees on juvenile and adult competency evaluation reports, restoration services, and certification proceedings and to report annually to the General Assembly on this training. The following table summarizes the appropriations and appropriation changes that are included in the act.

S.B. 19-223 APPROPRIATIONS			
	GENERAL FUND	REAPPROPRIATED FUNDS	FTE
Department of Human Services			
Fines, liquidated damages, costs, or attorney fees for non-compliance with the consent decree	\$10,483,000	\$0	0.0
Compensation for the Special Master pursuant to the consent decree	500,000	0	0.0
Community transition services (anticipated reversion)	(2,150,000)	0	0.0
Rural co-occurring disorder services (anticipated reversion)	(1,375,000)	0	0.0
Jail-based behavioral health services (anticipated reversion)	(1,000,000)	0	0.0
<b>TOTAL FY 2018-19</b>	<b>\$6,458,000</b>	<b>\$0</b>	<b>0.0</b>
Department of Human Services	\$8,141,194	\$0	19.0
Judicial Department	750,570	0	5.4
Department of Law	50,000	139,901	0.8
Governor's Office of Information Technology Services	0	454,539	0.9
<b>TOTAL FY 2019-20</b>	<b>\$8,941,764</b>	<b>\$594,440</b>	<b>26.1</b>

#### **S.B. 19-224 SUNSET REGULATED MARIJUANA**

Continues the regulation of medical and retail marijuana until September 1, 2028, incorporates recommendations from the sunset reviews for the Colorado Medical Marijuana Code and the Colorado Retail Marijuana Code, and makes other changes including integration of the two codes into one code entitled the Colorado Marijuana Code. Appropriates \$396,604 cash funds from the Marijuana Cash Fund and 1.8 FTE for the Marijuana Enforcement Division and reappropriates \$103,630 and 0.6 FTE to the Department of Law for the provision of legal services for FY 2019-20.

#### **S.B. 19-227 HARM REDUCTION SUBSTANCE USE DISORDERS**

Creates and expands certain substance use disorder treatment programs. Among other provisions, the bill creates an opiate antagonist bulk purchase program; requires opioid antagonists to be made available alongside publicly funded defibrillators; allows opiate antagonists to be administered by school staff; and expands the medication take-back program to include syringes. For FY 2019-20, appropriates \$659,472 total funds to the Department of Public Health and Environment, including \$434,472 General Fund, \$225,000 cash funds from the Opiate Antagonist Bulk Purchase Fund, and 2.2 FTE.

#### **S.B. 19-228 SUBSTANCE USE DISORDERS PREVENTION MEASURES**

Provides funding for the implementation of several programs for the prevention of opioid and other substance use disorders in the Departments of Human Services, Higher Education, and Public Health and Environment. The table below summarizes the fiscal impact in FY 2019-20 and FY 2020-21. All funding is from the Marijuana Tax Cash Fund. In the Department of Higher Education, all funding is appropriated to the Regents of the University of Colorado for allocation to the Center for Research into Substance Use Disorder Prevention, Treatment, and Recovery Support Strategies.

FISCAL IMPACT OF S.B. 19-228					
	FUND SOURCE	FY 2019-20	FTE	FY 2020-21	FTE
Human Services (Maternal and Child Health Pilot Program - \$692,367 in FY 20 and \$662,961 in FY 21; Youth Opioid Prevention Grant Program \$500,000 FY 20 only)	MTCF*	\$1,192,367	2.1	\$662,961	1.6
Higher Education (public awareness campaign on safe storage, use disposal of antagonist drugs - \$750,000 in FY 20 and ongoing; one-time local community grant application assistance - \$250,000 in FY 20 only; 2-year	MTCF	1,100,000	0.0	800,000	0.0

FISCAL IMPACT OF S.B. 19-228					
	FUND SOURCE	FY 2019-20	FTE	FY 2020-21	FTE
perinatal substance use data linkage project - \$100,000 in FY 20 and \$50,000 in FY 21)					
Public Health and Environment (public health interventions to address opioid and substance use disorder - FY 20 only)					
	MTCF	2,000,000	0.9	0	0.0
<b>TOTAL**</b>	MTCF	<b>\$4,292,367</b>	<b>3.0</b>	<b>\$1,462,961</b>	<b>1.6</b>

\*Marijuana Tax Cash Fund

\*\*Excludes centrally-appropriated funds

#### **S.B. 19-231 COLORADO SECOND CHANCE SCHOLARSHIP**

Creates the Second Chance Scholarship in the Department of Higher Education to assist persons who were previously committed to the Division of Youth Services and are pursuing a postsecondary credential. Creates an advisory board and requires the board to award scholarships of up to \$10,000 per student. For FY 2019-20, provides an appropriation of \$305,145 General Fund to the Department of Higher Education, reflecting the assumption that the Department will require an additional 0.8 FTE and that at least 25 scholarships will be awarded in FY 2019-20. The act is anticipated to require \$320,402 General Fund and 1.0 FTE in FY 2020-21 and ongoing.

#### **S.B. 19-235 AUTOMATIC VOTER REGISTRATION**

Requires the Department of Revenue, the Department of Health Care Policy and Financing (HCPF), and the Department of Human Services (DHS) to electronically transfer records to the Department of State for the purpose of automatically registering voters. For FY 2019-20, appropriates the following:

- \$67,840 cash funds from the Department of State Cash Fund to the Department of State;
- \$90,827 total funds to the Department of Human Services, including \$61,301 General Fund, \$9,973 cash funds from the Old Age Pension Fund, and \$19,553 from the federal Temporary Assistance for Needy Families block grant;
- \$136,240 reappropriated funds from the Department of Human Services to the Governor's Office of Information Technology (OIT); and
- \$18,000 General Fund to the Department of Revenue.

The appropriation to the Department of Human Services is based on the assumption that the Department will receive \$45,413 federal funds to implement the act.

#### **S.B. 19-236 SUNSET PUBLIC UTILITIES COMMISSION**

Continues the Public Utilities Commission in the Department of Regulatory Agencies through September 1, 2026, adds various requirements on the Commission and electric utilities related to clean energy planning and creates a process for electric utilities to issue energy impact bonds. Appropriates \$907,566 cash funds and 7.5 FTE to the Department of Regulatory Agencies for FY 2019-20 for rulemaking for distribution planning, managing energy grid cost-benefit analyses, and rulemaking and implementation oversight for wholesale electric cooperative planning. Of this amount, \$186,534 and 1.0 FTE is reappropriated to the Department of Law for the provision of legal services to the Department of Regulatory Agencies. Additionally, appropriates \$163,820 General Fund and 1.8 FTE to the Department of Public Health and Environment for FY 2019-20 to develop carbon dioxide emission measurement methodology.

#### **S.B. 19-238 IMPROVE WAGES AND ACCOUNTABILITY HOME CARE WORKERS**

Requires the Department of Health Care Policy and Financing to request federal approval to increase certain personal care and homemaker rates by 8.1 percent in FY 2019-20 and requires agencies receiving Medicaid compensation for these services to use the rate increase for compensation of non-administrative employees. Beginning July 1, 2020, sets a minimum hourly wage of \$12.41 for people providing personal care, homemaker, or in-home support services and requires that at least 85 percent of any increase in funding for these services in FY

2020-21 be used to increase compensation for non-administrative employees. Requires the Department in cooperation with the Department of Public Health and Environment to establish a process for reviewing and enforcing initial and ongoing training requirements for employees providing personal care, homemaker, and respite care services. For FY 2019-20, provides \$11,427,252 total funds to the Department of Health Care Policy and Financing for the rate increase and stakeholder outreach costs, including \$5,682,377 General Fund and \$5,744,875 federal funds.

#### **S.B. 19-244 MANAGEMENT OF LEGISLATIVE WORKPLACE CONDUCT**

Creates the Office of Legislative Workplace Relations within the Office of Legislative Legal Services. Appropriates \$221,295 General Fund and 1.8 FTE to the Legislative Department for FY 2019-20 for the Committee on Legal Services.

#### **S.B. 19-246 SCHOOL FINANCE**

Amends the “Public School Finance Act of 1994” and other statutory provisions for programs administered by the Department of Education to provide funding for school districts for FY 2019-20, making the following changes:

- Increases the *statewide base per pupil funding* amount from \$6,768.77 to \$6,951.53 (2.7 percent) to account for the annual change in the Denver-Aurora-Lakewood consumer price index in CY 2018.
- Reduces the dollar value of the budget stabilization factor by \$100.0 million from FY 2018-19 (\$672.4 million) to FY 2019-20 (\$572.4 million).
- Specifies that the dollar value of the budget stabilization factor in FY 2020-21 cannot exceed its value in FY 2019-20.
- Requires the Department of Education to distribute \$20.0 million to eligible rural school districts and rural institute charter schools and specifies the method of distribution.
- Requires the General Assembly to appropriate an additional \$22.0 million General Fund per year to support Special Education Programs for Children with Disabilities, beginning in FY 2019-20.
- Creates the Ninth Grade Success Grant Program in the Department of Education to provide grants to LEPs to establish ninth grade success programs to assist ninth grade students in developing the necessary skills to graduate from high school and be successful after graduation. Specifies eligibility requirements and the potential uses of funds and requires the Department of Education to prioritize applicants with a four-year graduation rate within the lowest 20.0 percent of high schools statewide. Creates reporting requirements. Authorizes the use of cash funds from the Marijuana Tax Cash Fund to support the program.
- Creates the Health and Wellness Through Comprehensive Quality Physical Education Instruction Pilot Program in the Department of Education to provide three-year grants to support the implementation of comprehensive physical education instruction programs in schools.

Makes the following appropriations to the Department of Education for FY 2019-20:

- An increase of \$22,000,000 General Fund for Special Education Programs for Children with Disabilities.
- An increase of \$20,000,000 General fund for distribution to rural school districts and rural institute charter schools on a per pupil basis.
- An increase of \$1,100,000 cash funds from the Marijuana Tax Cash Fund and 0.7 FTE for the Health and Wellness through Comprehensive Quality Physical Education Instruction Pilot Program.
- An increase of \$800,000 General Fund and 0.6 FTE for the Ninth Grade Success Grant Program.
- A net decrease of \$5,154,098 General Fund for the State Share of Districts’ Total Program Funding to align with revised estimates of local funds available for school finance in FY 2019-20 and the bill’s reduction to the budget stabilization factor.

#### **S.B. 19-248 STATE TAX SYSTEM WORKING GROUP**

Convenes a state tax system working group to meet during the 2019 legislative interim to evaluate the state tax administration software system, GenTax, and make recommendations. Working group stakeholders include the

nonpartisan legislative service agencies, the Department of Revenue (DOR), the Department of Personnel, and the Governor's Office of Information Technology (OIT). The working group must evaluate:

- the deficits of the current state tax system;
- the benefit of ownership of the current tax system in relationship to the cost of the total deficits of the current system;
- whether it would be more cost-effective for the state to make adjustments and new investments in the current tax system or to pursue a new system;
- options for managing the recurring changes in tax data and methods by which new tax reports are implemented and tracked; and
- any other topics the working group deems necessary.

The working group must provide an update on its progress to the Joint Technology Committee and the Joint Budget Committee by October 1, 2019, and, by December 1, 2019, report to the General Assembly on its findings and recommendations, whether an independent third-party assessment of the state tax system is necessary and whether the working group should be continued through the 2020 legislative interim.

Appropriates a total of \$44,552 General Fund to the Legislative Department for FY 2019-20, including \$36,997 and 0.4 FTE for the Legislative Council Staff and \$7,555 and 0.1 FTE to the Committee on Legal Services. Further appropriates \$30,000 General Fund to DOR for FY 2019-20.

#### **S.B. 19-249 LICENSE BUSINESS SELLING ITS USED MOTOR VEHICLES**

Creates a new motor vehicle business disposal license. The license allows businesses to sell used motor vehicles that have been owned by the business for more than a year, are exclusively used for business purposes, are titled in the name of the business, and are not designed or used primarily to carry passengers. A business only qualifies for the disposal license if motor vehicle sales do not exceed 20 percent of the business's gross revenue. In addition, the bill enumerates the grounds for which a business disposal license may be denied, suspended, or revoked by the Colorado Motor Vehicle Dealer Board and the associated penalties for selling specified vehicles without a license. Appropriates \$14,000 cash funds from the Auto Dealers License Fund to the Department of Revenue for use by the Motor Vehicle Dealer Licensing Board for FY 2019-20.

#### **S.B. 19-251 REQUIREMENTS OF OFFICE OF INFORMATION TECHNOLOGY (OIT) BASED ON EVALUATION RECOMMENDATIONS**

Implements several recommendations from a recent evaluation of the Governor's Office of Information Technology (OIT). Specifically, the legislation requires:

- The project management plan for every major information technology project to include a change management plan;
- OIT to develop and implement a communications and stakeholder management plan for interacting with its customers, and develop a method to annually solicit customer feedback;
- OIT to convene a working group to create and implement a strategic plan for how state agencies use technology to provide services, data, and information to citizens and businesses; and
- OIT to convene a working group during the 2019 legislative interim to determine the cost and feasibility of transferring the ownership of information technology assets to OIT and to report to the General Assembly by December 1, 2019 with any recommendations.

For FY 2019-20, appropriates \$775,000 General Fund and 2.0 FTE to the Office of the Governor to incorporate a change management plan into major information technology projects and to contract for vendor services to support the creation of strategic plans.

**S.B. 19-252 SMART COMMITTEE HEARINGS**

Reschedules SMART Act hearings to the first two weeks of each regular legislative session. Decreases appropriations to the Legislative Department for FY 2019-20 for the General Assembly by \$37,422 General Fund.

**S.B. 19-254 NURSING HOME PENALTY CASH FUND**

Repeals certain statutory limits on the Nursing Home Penalty Cash Fund, including a minimum reserve requirement of \$1.0 million, an annual expenditure limit of \$250,000 or 25 percent of prior year revenue if the fund balance is less than \$2.0 million, and a sunset of the grant program and the Nursing Home Innovations Grant Board. Instead, requires the Medical Services Board to set a minimum reserve requirement to ensure sufficient funds to protect the health or property of individuals residing in nursing facilities. Increases the FY 2019-20 cash funds appropriation out of the Nursing Home Penalty Cash Fund to the Department of Health Care Policy and Financing from \$250,000 to \$500,000.

**S.B. 19-256 ELECTRONIC DOCUMENTS MOTOR VEHICLE APPROPRIATION**

House Bill 18-1299 allows the Department of Revenue to implement a system to allow the electronic transmission of registration, lien, and titling information for motor vehicles. This bill appropriates \$1.2 million from gifts, grants, and donations deposited in the Colorado DRIVES Vehicle Services Account and 3.1 FTE to DOR and reappropriates \$16,590 to OIT to implement the system created in H.B. 18-1299 for FY 2019-20. Also specifies that the appropriation remains available through FY 2020-21.

**S.B. 19-258 CHILD WELFARE FUNDING**

Extends the repeal date of the Title IV-E Waiver Demonstration project to June 30, 2020. Creates the Title IV-E Administrative Costs Cash Fund into which Title IV-E reimbursement are deposited when they are received for administrative costs for independent legal representation by an attorney for: 1) a child who is a candidate for Title IV-E foster care or who is in foster care, and 2) the child's parent to prepare for and participate in all stages of foster care legal proceedings. Clarifies provisions relating to the annual close-out process for small- and medium-sized counties and for all counties, including provisions relating to the allocation of unspent appropriations. Requires the Department of Human Services to submit a Title IV-E Waiver interventions sustainability plan to the Joint Budget Committee on or before January 2, 2020. Refinances \$9.7 million General Fund appropriated to the Child Welfare Services line item with federal Temporary Assistance to Needy Families Funds. Appropriates \$9.7 million General Fund to the Child Welfare Prevention and Intervention Services Cash Fund and reappropriates these funds to the Division of Child Welfare for the delivery of child welfare prevention and intervention services.

**S.B. 19-261 UNCLAIMED PROPERTY TRUST FUND TRANSFER**

On July 1, 2019, transfers \$30.0 million from the Unclaimed Property Trust Fund to the General Fund.

**S.B. 19-262 ONE-TIME TRANSFER OF \$100 MILLION FROM GENERAL FUND TO HUTF**

Transfers \$100 million from the General Fund to the Highway Users Tax Fund (HUTF) on July 1, 2019, with 60 percent directed to the State Highway Fund for use by the Colorado Department of Transportation, 22 percent to counties, and 18 percent to municipalities.

**S.B. 19-263 DELAY REFERRAL OF TRANS BALLOT ISSUE TO 2020**

Extends the \$50.0 million annual transfer from the General Fund to the State Highway fund required by S.B. 18-001 for one year so it ends in FY 2039-40. Delays and modifies the 2019 referred measure contained in S.B. 18-001. Refers the revised measure to voters in November 2020 and asks for approval of a debt issue by the Colorado Department of Transportation (CDOT) of \$1.837 billion of Transportation Revenue Anticipation Notes (TRANS).

- If the 2020 ballot measure passes:
  - The lease-purchase agreements scheduled for FY 2020-21, and FY 2021-22 pursuant to S.B. 17-267, which have total value of \$1.0 billion, are cancelled. The \$500.0 million lease-purchase agreement scheduled for FY 2019-20 is not affected.



- CDOT can issue up to \$1.837 billion of TRANs. The notes have a maximum repayment cost of \$2.560 billion paid over 20 years with debt-service payments coming from the State Highway Fund. If issued equally over 3 years, \$612.3 million will be issued per year, beginning as soon as FY 2020-21.
  - 85 percent of the TRANs borrowing will be allocated to the State Highway Fund and 15 percent to the Multimodal Transportation Options Fund.
  - At least a quarter of the amount deposited in the State Highway Fund must be spent on projects in counties with populations of 50,000 or less.
- \$42.5 million will be transferred annually for 20 years from the General Fund to the State Highway Fund beginning in FY 2020-21 and ending in FY 2039-40. This is in addition to the \$50.0 million transferred annually to the State Highway.
- If the 2020 ballot measure fails, there is no change to the four years of lease-purchase borrowing authorized by S.B. 17-267.
- This referred measure was subsequently cancelled by H.B. 20-1376.

#### **H.B. 19-1001 HOSPITAL TRANSPARENCY MEASURES TO ANALYZE EFFICACY**

Requires hospitals to report certain financial information to the Department of Health Care Policy and Financing and requires the Department to prepare an annual hospital expenditure report. Requires the Department in consultation with the Department of Public Health and Environment to make recommendations to the General Assembly regarding the structure of the statutory Hospital Report Card and Hospital Charge Report.

#### **H.B. 19-1002 LEADERSHIP PROFESSIONAL DEVELOPMENT FOR SCHOOL PRINCIPALS**

Creates the School Leadership Pilot Program in the Department of Education to provide training and professional development for school principals. Requires the Department to identify a cohort of high-quality school principals and allow other school principals from across the state to observe and interact with that cohort and to receive additional professional development in school leadership. Specifies requirements for program design and implementation. Requires the Department to design the program in FY 2019-20 and to implement the program no later than July 2020, with principals participating in FY 2020-21 and FY 2021-22. Requires the Department to contract with an external entity in FY 2019-20 for a multi-year evaluation of the program to take place over the period of the program. Beginning in FY 2020-21, requires the Department to make grants to local education providers with principals participating in the program to cover the costs that the LEP is expected to incur as a result of allowing the school principal to participate. For FY 2019-20, appropriates \$272,929 General Fund and 0.9 FTE to the Department of Education.

#### **H.B. 19-1004 PROPOSAL FOR AFFORDABLE HEALTH COVERAGE OPTION**

Requires the Departments of Health Care Policy and Financing and Regulatory Agencies to develop a proposal for a state option for health care coverage. Appropriates \$115,500 General Fund for FY 2018-19 and \$231,000 General Fund to the Department of Regulatory Agencies for FY 2019-20 to conduct stakeholder involvement, interface with federal partners, and draft a waiver application seeking federal approval to fund and implement the state option described in the proposal. Additionally, appropriates \$75,000 General Fund for FY 2018-19 and \$150,000 for FY 2019-20 to the Department of Health Care Policy and Financing to perform an analysis of how the proposed state option may interact with existing public health care options, including Medicaid and the Children's Basic Health Plan, as well as private insurance.

#### **H.B. 19-1006 WILDFIRE MITIGATION**

Appropriates \$1,000,000 General Fund to the Department of Higher Education for FY 2019-20 for allocation to the State Forest Service at Colorado State University for the Forest Restoration and Wildfire Risk Mitigation Grant Program.

#### **H.B. 19-1007 CONTRIBUTION LIMITS FOR COUNTY OFFICES**

Establishes contribution limits and disclosure requirements for candidates for county offices. Appropriates \$7,000 from the Department of State Cash Fund to the Department of State for FY 2019-20.

### **H.B. 19-1009 SUBSTANCE USE DISORDER RECOVERY**

Expands a state housing voucher program in the Department of Local Affairs (DOLA) to include individuals with substance use disorders who are transitioning back into the community from a correctional or behavioral health institution, county jail, or residential treatment program. Requires the General Assembly to annually appropriate \$1.0 million from the Marijuana Tax Cash Fund (MTCF) for the voucher program for fiscal years 2019-20 through 2023-24. Appropriates \$1,000,000 total funds to DOLA for FY 2019-20, including \$173,500 General Fund and \$826,500 cash funds from the MTCF, and states that DOLA will require 0.9 FTE to implement the act. Appropriates \$2,620 reappropriated funds (transferred from DOLA) to the Governor's Office of Information Technology (OIT) for FY 2019-20.

Effective January 1, 2020, establishes requirements for the operation of recovery residences, including certification by an entity approved by the Office of Behavioral Health in the Department of Human Services (DHS). Establishes the Recovery Residence Certification Grant Program to be administered by DHS to provide grants to recovery residences for the purpose of gaining certification. Appropriates \$50,000 General Fund to DHS for FY 2019-20.

Creates a 26-member Opioid Crisis Recovery Funds Advisory Committee to advise and collaborate with the Department of Law on uses of any custodial funds received by the state as a result of opioid-addiction-related litigation for which the use of the funds is not predetermined by the court.

### **H.B. 19-1010 FREESTANDING EMERGENCY DEPARTMENTS LICENSURE**

Creates a new facility license for freestanding emergency departments and requires such facilities to be licensed by the Department of Public Health and Environment by July 1, 2022. For FY 2019-20, appropriates \$43,248 cash funds and 0.5 FTE from the Health Facilities General Licensure Cash Fund to the Department.

### **H.B. 19-1017 K-5 SOCIAL AND EMOTIONAL HEALTH ACT**

Creates the K-5 Social and Emotional Health Pilot Program in the Department of Education to place additional school mental health professionals in elementary or K8 schools that have high poverty and high student needs. Defines school mental health professional to include school counselors, school psychologists, and school social workers. By January 15, 2020, requires the Department to select up to ten schools to participate in the pilot program; if available funds will not support ten schools, the bill allows the Department to select less than ten schools. Beginning in FY 2020-21, requires participating schools to hire enough mental health professionals to follow students as they progress through the school from kindergarten through fifth grade, with a targeted ratio of 250 students per mental health professional. Authorizes the pilot program to operate for FY 2020-21 through FY 2022-23 unless the General Assembly extends the repeal of the program. For FY 2019-20 and FY 2020-21, authorizes the General Assembly to appropriate cash funds from the Marijuana Tax Cash Fund to support the program, with a limit of no more than \$2.5 million in FY 2020-21. Authorizes the Department to seek, accept, and expend gifts, grants, and donations to support any additional program costs for FY 2020-21 through FY 2022-23. For FY 2019-20, appropriates \$43,114 cash funds from the Marijuana Tax Cash Fund and 0.4 FTE to the Department of Education.

### **H.B. 19-1023 FOSTER CHILDREN DRIVING LICENSES**

Clarifies that a minor who is at least 16 years of age can purchase auto insurance and exempts a foster child from having a foster parent or other guardian sign an affidavit of liability regarding financial responsibility. It lowers the age at which the state or a county must obtain permission from a foster parent or guardian to help a foster child obtain a permit from 17 1/2 years old to 17 years old and allows anyone who is at least 21 years of age and holds a driver license to instruct a foster child with a driving permit and sign a foster child's driving logs. It allows each county department of human services or social services that has custody of a foster child or ward of the court to implement a program that provides foster kids under the age of 18 with a driver permit if the minor's foster parent consents or the county has first consulted with the foster parent for a child 17 years old or older. The bill also requires the Transportation Legislation Review Committee to study the barriers to foster children meeting the 50

hour driving requirement for an instruction permit, and the ability of foster children to obtain automobile insurance during the 2019 legislative interim. Appropriates \$6,750 cash funds to the Department of Revenue from the Colorado DRIVES Vehicle Services Account in the Highway Users Tax Fund for IT programming for the DRIVES system for FY 2019-20.

#### **H.B. 19-1024 COLORADO YOUTH ADVISORY COUNCIL REVIEW COMMITTEE**

Creates the Colorado Youth Advisory Council Review Committee as an ongoing legislative interim committee. Appropriates a total of \$21,901 General Fund to the Legislative Department for FY 2019-20, including \$18,455 and 0.3 FTE for the Legislative Council Staff, \$6,889 and 0.1 FTE for the Committee on Legal Services, and \$3,446 for the General Assembly.

#### **H.B. 19-1025 LIMITS ON JOB APPLICANT CRIMINAL HISTORY INQUIRIES**

Prohibits an employer from preventing a person with a criminal history from applying for a job or from requiring disclosure of an applicant's criminal history on an initial application. Requires the Department of Labor and Employment to adopt related rules for handling complaints filed against employers. Appropriates \$38,113 cash funds from the Employment Support Fund to the Department of Labor and Employment for FY 2019-20, based on an assumption that the Department will require an additional 0.6 FTE. Anticipated to require appropriations of \$35,664 cash funds, assuming 0.5 FTE, for FY 2020-21 and subsequent years.

#### **H.B. 19-1026 PARKS & WILDLIFE VIOLATIONS OF LAW**

Increases fines for violations of law in the Division of Parks and Wildlife in the Department of Natural Resources and grants the Parks and Wildlife Commission the authority to allow exceptions to prohibitions on both the possession, import, export, and transport of an aquatic nuisance species and the transfer or sale of certain passes or registrations.

#### **H.B. 19-1031 CHILD PATIENT MORE THAN ONE PRIMARY CAREGIVER**

Allows each parent or guardian to serve as a primary caregiver for a medical marijuana patient who is under the age of 18. For FY 2019-20, appropriates \$95,831 cash funds from the Medical Marijuana Program Cash Fund to the Department of Public Health and Environment.

#### **H.B. 19-1032 COMPREHENSIVE HUMAN SEXUALITY EDUCATION**

Modifies the comprehensive human sexuality education grant program and the content requirements for school districts that offer a comprehensive human sexuality education curriculum. For FY 2019-20, appropriates \$1.0 million General Fund and 1.5 FTE to the Department of Public Health and Environment for the grant program.

#### **H.B. 19-1038 DENTAL SERVICES FOR PREGNANT WOMEN ON CHP+**

Expands benefits under the Children's Basic Health Plan to include dental services for enrolled prenatal and postpartum women. Provides \$439,425 total funds to the Department of Health Care Policy and Financing in FY 2019-20, including \$66,955 cash funds and \$372,470 federal funds.

#### **H.B. 19-1039 IDENTITY DOCUMENTS FOR TRANSGENDER PERSONS**

Under current law, a person born in Colorado seeking to obtain a birth certificate that reflects a change in gender designation must first obtain a court order indicating that the person's gender has been changed by a surgical procedure and that their name has been changed. The bill eliminates the requirement for a court order, and requires the state registrar in the Colorado Department of Public Health and Environment (CDPHE) to issue a new birth certificate to any person who was born in Colorado and has a gender different from the gender denoted on that person's birth certificate. Persons who currently reside in Colorado but who were born in another state or in a foreign jurisdiction may request a decree from a court in Colorado if such a decree is required to issue an amended birth certificate in the place of their birth.

To issue a new birth certificate, the state registrar must receive a written request from the person and a statement confirming the sex designation on the person's birth certificate does not align with the person's gender identity. If the person is under the age of eighteen, the state registrar must receive the request and statement from the person's parents, guardian, or legal representative and a statement from a professional medical or mental health care provider. The DMV must issue a new driver's license or identity document to a person who has a gender different from the sex denoted on that person's driver's license or identity document upon receiving a statement similar to the above and a new birth certificate issued pursuant to this bill.

Appropriates \$58,500 cash funds to the Department of Revenue from the Licensing Services Cash Fund for IT programming for the DRIVES system for FY 2019-20.

#### **H.B. 19-1045 OFFICE OF PUBLIC GUARDIANSHIP**

Requires the Office of Public Guardianship to begin operating a pilot program in the Second Judicial District (Denver) as soon as it receives sufficient appropriations to do so. Requires the Office to report to the General Assembly by January 1, 2023 and repeals the Office on December 31, 2023 if the program is not continued or expanded by the General Assembly during the 2023 session. Increases probate fees beginning July 1, 2019 and deposits the additional revenue in the Office of Public Guardianship Cash Fund, which is created by the bill. For FY 2019-20, appropriates \$835,386 and 4.5 FTE to the Office, comprised of \$427,000 General Fund and \$408,386 cash funds. Of this appropriation, \$50,000 is reappropriated to Department of Law for the provision of legal services to the Office.

#### **H.B. 19-1055 PUBLIC SCHOOL CAPITAL CONSTRUCTION FINANCIAL ASSISTANCE**

Diverts additional marijuana excise tax revenue to the Public School Capital Construction Assistance Fund which supports the Building Excellent Schools Today (B.E.S.T.) Program. Current law deposits the greater of \$40.0 million or 90.0 percent of total excise tax revenues to the Public School Capital Construction Assistance Fund to support lease purchase payments and cash grants under the B.E.S.T. Program and deposits any remaining excise tax revenues into the Public School (Permanent) Fund. Beginning in FY 2019-20, diverts all marijuana excise tax revenues to the Public School Capital Construction Assistance Fund and eliminates deposits to the Permanent Fund. Increases the statutory limit on B.E.S.T. Program lease purchase payments from \$100.0 million under current law to \$105.0 million in FY 2019-20 and \$110.0 million in FY 2020-21. Changes the percentage of marijuana excise tax revenue credited to the Charter School Facilities Assistance Account to support charter school capital construction. Also changes the annual appropriation from the State Education Fund for charter school capital construction based on annual changes in statewide charter school enrollment.

For FY 2018-19, transfers \$4.25 million cash funds from the Public School Capital Construction Assistance Fund to the Charter School Facilities Assistance Account and appropriates that amount to the Department of Education for charter school capital construction.

On July 1, 2019, transfers \$25.0 million from the Public School Capital Construction Assistance Fund to the Full-day Kindergarten Facility Capital Construction Fund and specifies the mechanism to distribute those funds for full-day kindergarten implementation grants in FY 2019-20. For FY 2019-20, makes the following appropriations to the Department of Education:

- \$50,000,000 cash funds from the Public School Capital Construction Assistance Fund for cash grants under the B.E.S.T. Program.
- \$25,000,000 cash funds from the Full-day Kindergarten Facility Capital Construction Fund for full-day kindergarten implementation grants.
- \$5,000,000 cash funds from the Public School Capital Construction Assistance Fund for lease purchase payments under the B.E.S.T. Program.
- \$656,559 cash funds from the State Education Fund for charter school capital construction.

**H.B. 19-1064 VICTIM NOTIFICATION CRIMINAL PROCEEDINGS**

Removes opt-in requirements for victims to receive notifications of criminal proceedings involving their offender or alleged offender and instead automatically enrolls them for notifications. For FY 2019-20, appropriates \$784,542 General Fund to the Department of Corrections and appropriates \$300,000 General Fund to the Community Crime Victims Grant Program in the Department of Public Health and Environment.

**H.B. 19-1069 SIGN LANGUAGE INTERPRETERS TITLE CERTIFICATION**

Allows the Colorado Commission of the Deaf, Hard of Hearing, and Deafblind to approve certifications for sign language interpreters and adds additional titles that cannot be used without a certification. Appropriates \$19,440 cash funds to the Department of Regulatory Agencies for FY 2019-20 and reappropriates the money to the Department of Human Services to approve the certifications.

**H.B. 19-1073 LAW ENFORCEMENT INFORMATION SHARING GRANT PROGRAM**

Creates the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Program to provide funding to assist local law enforcement agencies in gaining access to the information-sharing system created by the Colorado information sharing consortium (CISC). For FY 2019-20, appropriates \$500,000 cash funds from the Marijuana Tax Cash Fund to the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Program Fund. Also appropriates \$479,947 reappropriated funds and 0.7 FTE from the Law Enforcement, Public Safety, and Criminal Justice Information Sharing Grant Program Fund to the Department of Public Safety.

**H.B. 19-1085 GRANTS FOR PROPERTY TAX RENT AND HEAT**

Under current law, Colorado residents over the age of 65 are eligible for a property tax and rent assistance rebate grant and a heat and fuel expenses rebate grant, if they meet certain conditions. This bill increases the minimum and maximum rebate amounts and eligible income requirements and removes the requirement that the payment of rent only qualifies for a rent rebate if the rent is paid to a landlord that pays property taxes. Under current law, the income amounts are adjusted annually for inflation. This bill adjusts the rebate amount and income levels for inflation starting in 2020. Appropriates \$24,847 General Fund to the Department of Revenue, reappropriates \$1,200 to the Department of Personnel for document management services, and increases the Long Bill informational appropriation for the Old Age Heat and Fuel and Property Tax Assistance Grant by \$653,500 General Fund for FY 2019-20.

**H.B. 19-1090 PUBLICLY LICENSED MARIJUANA COMPANIES**

Modifies the statutory ownership and investment definitions for medical and retail marijuana licensees, removes the limit of 15 out-of-state owners, changes the ownership residency requirement, and allows a publicly traded corporation to invest in a marijuana business or become a marijuana business. The bill repeals the definition of direct beneficial interest owner, indirect beneficial interest owner, and permitted economic interest; creates new ownership types; and changes disclosure and background requirements, including exemptions for passive beneficial owners and indirect financial interest holders.

A person intending to apply to become a controlling beneficial owner must receive a finding of suitability or an exemption from the Marijuana Enforcement Division (MED) in the Department of Revenue prior to submitting a marijuana business application. The MED is required to complete a finding of suitability within 120 days. The MED is required to promulgate rules to implement the bill that address: ownership and financial disclosure procedure requirements; record keeping requirements; findings of suitability; divestiture of ownership of a person found unsuitable by the MED; transfers of ownership involving a publicly traded corporation; designation of controlling beneficial owners; modification of the percentage of securities that may be held by a controlling beneficial owner and passive beneficial owner; designation of persons who qualify for an exemption from a finding of suitability; and designation of indirect financial interest holders and qualified institutional investors.

Appropriates \$54,766 cash funds from the Marijuana Cash Fund and 0.2 FTE to DOR and reappropriates \$31,089 and 0.2 FTE to the Department of Law for legal services for FY 2018-19. Appropriates \$2.7 million cash funds from the Marijuana Cash Fund and 15.5 FTE to DOR, reappropriates \$242,494 and 1.3 FTE to the Department of Law for legal services, reappropriates \$18,772 to the Department of Public Safety for criminal history record checks, and reappropriates \$24,750 to the Department of Personnel for fleet vehicles for FY 2019-20.

#### **H.B. 19-1095 PHYSICIAN ASSISTANTS SUPERVISION AND LIABILITY**

Modifies supervisory requirements and liability for physician assistants and increases the number of physician assistants on the Colorado Medical Board. Appropriates \$4,650 cash funds to the Department of Regulatory Agencies for FY 2019-20 for per diem and travel reimbursement for the new member on the Board.

#### **H.B. 19-1107 EMPLOYMENT SUPPORT JOB RETENTION SERVICES PROGRAM**

Creates an employment support services program in the Colorado Department of Labor and Employment. Provides an appropriation of \$750,000 General Fund to a newly-created cash fund in the Department for FY 2019-20 and reappropriates \$250,000 from the cash fund to the Department, reflecting the assumption that the Department will require an additional 0.5 FTE. Anticipated to require appropriations for FY 2020-21 and FY 2021-22 of \$250,000 reappropriated funds, supporting 0.5 FTE. No additional General Fund appropriations are anticipated.

#### **H.B. 19-1110 MEDIA LITERACY**

Creates a 13-member Media Literacy Advisory Committee within the Department of Education to report on and recommend revisions to existing state standards and best practices for improving media literacy in elementary and secondary education. Specifies criteria for membership on the committee. No later than July 15, 2019, requires the Commissioner of Education to appoint committee members and to hire a consultant to perform the research and analysis required for the report. Requires the committee and consultants to convene no later than November 1, 2019, to discuss the draft report and make recommendations for the final report. Requires submission of a final report to the General Assembly no later than January 1, 2020. For FY 2019-20, appropriates \$19,816 General Fund to the Department of Education.

#### **H.B. 19-1120 YOUTH MENTAL HEALTH EDUCATION AND SUICIDE PREVENTION**

Requires the Department of Education to create and maintain a mental health resource bank of program materials and curricula related to mental health. By July 1, 2020, requires resources in the bank to be available to elementary and secondary schools free of charge and to be available in both English and Spanish. Upon request of a local education provider, requires the Department to provide technical assistance in designing age-appropriate curricula pertaining to mental health. For FY 2019-20, appropriates \$116,550 General Fund and 0.9 FTE to the Department of Education.

#### **H.B. 19-1122 CDPHE MATERNAL MORTALITY REVIEW COMMITTEE**

Creates the Colorado Maternal Mortality Review Committee, which is required to review maternal deaths, identify the causes of maternal mortality, and develop recommendations to address preventable maternal deaths, including legislation, policies, rules, and best practices that will support the health and safety of the pregnant and postpartum population in Colorado and prevent maternal deaths. For FY 2019-20, appropriates \$145,167 General Fund and 1.6 FTE to the Department of Public Health and Environment.

#### **H.B. 19-1127 LIEUTENANT GOVERNOR CONCURRENT STATE SERVICE**

Allows the Lieutenant Governor to serve as the Director of the Office of Saving People Money on Health Care and increases the salary of the Lieutenant Governor to serve in this role. Appropriates \$12,423 General Fund for FY 2018-19 and \$74,537 General Fund for FY 2019-20 to the Office of the Governor to cover the costs of the Lieutenant Governor's salary increase.

**H.B. 19-1132 SCHOOL INCENTIVES TO USE COLORADO FOOD AND PRODUCERS**

Creates two grant programs to encourage the purchase of Colorado products for use in federally subsidized meals in public schools and residential child care centers.

- Creates the Local School Food Purchasing Program to reimburse participating providers for the purchase of Colorado grown, raised, or processed products. Specifies eligibility criteria and application requirements. Beginning in FY 2020-21, authorizes up to \$500,000 in reimbursements under the program.
- Creates the Local School Food Purchasing Technical Assistance and Education Grant Program. Requires the Department to issue a grant to a statewide nonprofit organization to develop and manage a grant program to assist with the promotion of Colorado grown, raised, or processed products. Specifies grant recipients' authorized uses of funds.

For FY 2019-20, appropriates \$168,942 General Fund and 0.3 FTE to the Department of Education.

**H.B. 19-1133 COLORADO CHILD ABUSE RESPONSE AND EVALUATION NETWORK**

Creates the Colorado Child Abuse Response and Evaluation Network to develop and maintain standardized, coordinated responses to suspected cases of abuse or neglect of children ages 12 and under. For FY 2019-20, appropriates \$632,717 General Fund and 0.6 FTE to the Department of Public Health and Environment.

**H.B. 19-1134 IDENTIFICATION AND INTERVENTIONS FOR STUDENTS WITH DYSLLEXIA**

Requires the Commissioner of Education to convene an 11-member work group to analyze relevant data and research related to dyslexia and to evaluate the implementation and efficacy of other state legislation related to dyslexia screening and educator training. Requires the work group to submit an annual report of its recommendations to the Commissioner from FY 2019-20 through FY 2030-31. For FY 2020-21 through FY 2022-23, creates a dyslexia markers pilot program to identify markers of dyslexia and enable effective interventions. Authorizes the Department to select up to five local education providers to participate in the pilot program. For FY 2019-20, appropriates a total of \$106,196 General Fund to the Department of Education, including \$94,676 to support the working group and \$11,520 for the dyslexia markers pilot program.

**H.B. 19-1138 VEHICLE TRANSFER REGISTRATION FEE CREDIT**

Under current law, vehicle owners receive a prorated credit of taxes and some registration fees when a vehicle is sold before the end of the vehicle registration year. This bill extends that credit to additional registration fees. Appropriates \$7,200 cash funds to the Department of Revenue from the Colorado DRIVES Vehicle Services Account in the Highway Users Tax Fund for IT programming for the DRIVES system for FY 2019-20.

**H.B. 19-1142 SAFE FAMILY OPTION FOR PARENTS**

Permits a parent or guardian to use the assistance of a temporary care assistance program operated by a qualified nonprofit organization to identify an appropriate and safe approved temporary caregiver to whom the parent or guardian can choose to delegate temporary care responsibility of a minor through a power of attorney. For FY 2019-20, appropriates \$14,093 General Fund to the Department of Human Services and states the assumption that the Department will require an additional 0.3 FTE.

**H.B. 19-1147 REVISE TRAUMATIC BRAIN INJURY PROGRAM**

Makes revisions to the Colorado traumatic brain injury program and clarifies that all persons served by the program receive service coordination and skills training and may receive other services as determined by the trust fund board. Removes a restriction on the use of General Fund for the program and makes changes to fees that are collected for the benefit of the trust fund. For FY 2019-20, appropriates \$450,000 General Fund to the Colorado Brain Injury Trust Fund (Fund) and reappropriates \$450,000 from the Fund to the Department of Human Services for the Colorado Brain Injury Program.

**H.B. 19-1160 MENTAL HEALTH FACILITY PILOT PROGRAM**

Creates a three-year mental health facility pilot program in the Department of Public Health and Environment to provide residential care, treatment, and services to persons with either a mental health diagnosis or a physical health diagnosis. For FY 2019-20, appropriates \$30,730 General Fund and 0.3 FTE to the Department.

**H.B. 19-1168 STATE INNOVATION WAIVER REINSURANCE PROGRAM**

Requires the Commissioner of Insurance to seek federal approval to establish a reinsurance program, known as the Colorado Reinsurance Program, as a state enterprise to lower health insurance premiums using a combination of state and federal money. The state share of the Program is financed with General Fund transfers of \$15.0 million on June 30, 2020 and \$40.0 million on June 30, 2021 to the Reinsurance Cash Fund and revenue from special fee assessments on hospitals established by the bill. Hospital fee assessments may be up to \$40.0 million per calendar year, but combined with other fees on hospitals, may not exceed 6.0 percent of total patient revenue. Appropriates \$785,904 cash funds and 3.0 FTE to the Department of Regulatory Agencies for FY 2019-20 to apply for the federal waiver and to obtain contractor support for claims processing, insurance carrier audits, and in the ongoing evaluation of payment parameters.

**H.B. 19-1171 EXPAND CHILD NUTRITION SCHOOL LUNCH PROTECTION PROGRAM**

Expands the Child Nutrition School Lunch Protection Program to include grades nine through twelve. Current law provides free school lunches to students that qualify for reduced price lunches from kindergarten through eighth grade. This bill expands eligibility to include students through twelfth grade. For FY 2019-20, appropriates \$463,729 General Fund to the Department of Education.

**H.B. 19-1174 (OUT-OF-NETWORK HEALTH CARE SERVICES)**

Requires health care providers, facilities, and health insurance carriers to provide disclosures to consumers about the potential effects of receiving services from an out-of-network provider or at an out-of-network facility. Appropriates \$63,924 cash funds and 0.9 FTE to the Department of Regulatory Agencies for FY 2019-20 to track utilization of out-of-network providers, to promulgate rules, and to facilitate the arbitration process and respond to provider or facility inquiries verifying that they have been paid the highest of the rates specified by the bill. Additionally, appropriates \$33,884 General Fund and 0.4 FTE to the Department of Public Health and Environment for FY 2019-20 to conduct a stakeholder process to develop rules for disclosures at health care facilities.

**H.B. 19-1176 HEALTH CARE COST SAVINGS**

Creates a task force to study and compare the current method of financing health care in Colorado with: (1) a multi-payer universal health care system that has a mandated set of benefits; and (2) a publicly financed and privately delivered universal health care system that directly compensates providers. Requires reports to the General Assembly by January 1, 2021 and September 1, 2021. For FY 2019-20, appropriates \$92,649 General Fund to the Department of Health Care Policy and Financing to support the task force and \$7,351 General Fund to the Legislative Department for per diem costs for legislators participating in the task force.

**H.B. 19-1177 EXTREME RISK PROTECTION ORDERS**

Creates procedures for courts to require an individual to surrender any firearms in his or her possession until the order expires or is terminated if the person is found to pose a significant risk of causing personal injury to themselves or others. When a petition for such an extreme risk protection order is filed, the court must appoint and pay for an attorney to represent the respondent unless the respondent elects to select and pay for their own attorney. For FY 2019-20, appropriates \$119,392 General Fund to the Judicial Department.

**H.B. 19-1183 AUTOMATED EXTERNAL DEFIBRILLATORS IN PUBLIC PLACES**

Encourages public schools and public places to have sufficient quantities of functional automated external defibrillators (AEDs) and requires the Department of Public Health and Environment to award a \$15,000 contract



to a nonprofit organization for the purpose of acquiring and distributing AEDs to public places. For FY 2019-20, appropriates \$15,000 General Fund to the Department.

**H.B. 19-1184 DEMOGRAPHIC NOTES FOR CERTAIN LEGISLATIVE BILLS**

Requires Legislative Council Staff to prepare demographic notes for legislation that outline the potential disparate effects of a bill on various populations within the state. Appropriates \$89,474 General Fund and 0.9 FTE to the Legislative Department for FY 2019-20 for the Legislative Council Staff.

**H.B. 19-1187 INCREASE STUDENT AID APPLICATION COMPLETION RATES**

Requires the General Assembly to appropriate an additional \$250,000 per year for the School Counselor Corps Grant Program for FY 2019-20 through FY 2021-22. Directs that the funds be distributed to recipients of existing counselor corps grants to encourage completion of financial aid applications, including the Free Application for Federal Student Aid (FAFSA) as well as state financial aid applications. For FY 2019-20, appropriates \$250,000 General Fund to the Department of Education.

**H.B. 19-1188 GREENHOUSE GAS POLLUTION IMPACT IN FISCAL NOTES**

Requires Legislative Council Staff to assess whether legislation results in an increase or decrease in greenhouse gas emissions as part of every fiscal note. Appropriates \$81,911 General Fund and 0.9 FTE to the Legislative Department for FY 2019-20 for the Legislative Council Staff.

**H.B. 19-1192 INCLUSION OF AMERICAN MINORITIES IN TEACHING CIVIL GOVERNMENT**

Creates a 16-member History, Culture, Social Contributions, and Civil Government in Education Commission within the Department of Education to make recommendations to the State Board of Education regarding revisions to statewide academic standards related to history and civics. Specifies representation on the commission, including 13 members to be appointed by the Governor, two (non-voting) members from the Department of Education to be appointed by the Commissioner of Education, and the President of the State Historical Society or the President's designee. For FY 2019-20, appropriates \$37,495 cash funds from the State Education Fund to the Department of Education.

**H.B. 19-1193 BEHAVIORAL HEALTH SUPPORTS FOR HIGH-RISK FAMILIES**

Increases access to substance use disorder treatment and support for pregnant women and new mothers, including the following changes:

- Creates the Child Care Services and Substance Use Disorder Treatment Pilot Program, consisting of three different grants, to provide child care services to the children (up to the age of five) of women engaged in substance use disorder treatment.
- Expands eligibility for the existing High Risk Pregnant Women program to cover women with substance use disorders up to one year postpartum, and authorizes the Department of Human Services (DHS) to use State money to provide services through this program to women who are not eligible for Medicaid and to pay for services provided to Medicaid-eligible women that are not covered by the Medicaid program.
- Creates the High-risk Families Cash Fund, consisting of money that is appropriated for three existing programs that remains unexpended and unencumbered at the end of the fiscal year. Continuously appropriates money in the new fund to DHS for the purchase of services for high-risk families and for one-time allocations to increase treatment capacity.

For FY 2019-20, appropriates \$500,000 General Fund to DHS and states the assumption that DHS will require an additional 0.6 FTE to implement the act.

**H.B. 19-1202 FOOD SYSTEMS ADVISORY COUNCIL**

Moves the Colorado Food Systems Advisory Council from the Department of Agriculture to Colorado State University in the Department of Higher Education and modifies its membership, purpose, and duties. For FY 2019-20, provides an appropriation of \$100,317 General Fund to the Department of Higher Education and

reappropriates this amount to Colorado State University System, reflecting the assumption that 0.9 FTE will be required. This amount is expected to increase to \$151,168 General Fund and 1.0 FTE for FY 2020-21 and future years.

#### **H.B. 19-1203 SCHOOL NURSE GRANT PROGRAM**

Creates the School Nurse Grant Program in the Department of Public Health and Environment to award grants to local education providers to hire school nurses to serve in public schools. Appropriates \$3,000,000 cash funds and 0.8 FTE from the Marijuana Tax Cash Fund to the Department of Public Health for FY 2019-20. Includes a one-time appropriation of \$2,944,809 for grants, and allows the Department to expend these funds through FY 2021-22. The remainder of the appropriation is for personal services and operating expenses for 0.7 FTE, which will be appropriated annually through FY 2021-22.

#### **H.B. 19-1205 REIMBURSE EXPENSES OF RESTORATIVE JUSTICE COUNCIL**

Allows members of the Restorative Justice Coordinating Council to receive reimbursement for expenses incurred while serving on the council. Though expenditures from the Restorative Justice Cash Fund are expected to increase \$10,000 per year on a continuing basis, no appropriation to the Judicial Department is required because grants from the Fund will be reduced by an offsetting amount.

#### **H.B. 19-1210 LOCAL GOVERNMENT MINIMUM WAGE**

Repeals an existing provision that prevents local governments from enacting minimum wage laws separate from those of the State, and allows local governments to establish minimum wage laws for individuals performing work while physically present within their jurisdictions through their governing body, an initiative, or referendum. Local minimum wages may exceed the state and federal minimum wages. The bill includes a provision requiring the Department of Health Care Policy and Financing to implement a local minimum wage enhancement payment for eligible nursing facilities, if a local government increases its minimum wage above the statewide minimum wage.

#### **H.B. 19-1215 CHILD SUPPORT COMMISSION RECOMMENDATIONS**

Makes changes to income determination and payment guidelines for calculating child support payments; allows the Department of Human Services to issue a notice of administrative lien and levy to any financial institution; and requires the Colorado Child Support Commission to meet every four years to update its policies. Increases the annual fee for child support payments from \$25 to \$35 and creates the Child Support Deficit Reduction Act (DRA) fee Cash Fund to retain the state share of the annual child support fee. For FY 2019-20, appropriates \$143,650 cash funds to the Department of Human Services.

**H.B. 19-1216 (REDUCE INSULIN PRICES):** Requires an insurance carrier to cap the copayment or coinsurance amount imposed on a covered person for prescription insulin drugs. Appropriates \$26,054 cash funds and 0.4 FTE to the Department of Regulatory Agencies for FY 2019-20 to manage inquiries and complaints and to perform an additional rate and form review of all health coverage filings to ensure compliance with this legislation.

#### **H.B. 19-1217 PERA LOCAL GOVERNMENT DIVISION MEMBER CONTRIBUTION RATES**

Eliminates increases in the employee contribution for members of the Public Employees' Retirement Association's (PERA's) local government division that were scheduled to occur on July 1 of 2019, 2020, and 2021. As a result, the act will decrease PERA revenue and will increase State income tax revenue that is credited to the General Fund by an estimated \$233,000 in FY 2019-20 and by larger amounts in subsequent fiscal years.

#### **H.B. 19-1223 SOCIAL SECURITY APPLICATION ASSISTANCE**

Creates a program to help persons with disabilities apply for federal disability benefits. Also creates the Disability Benefits Application Assistance Fund. Requires the Department of Human Services to allocate program funding to participating counties with the highest need for assistance based on the number of Aid to the Needy Disabled (AND) Program participants and homeless persons in the counties. For FY 2019-20, appropriates \$1,450,000 cash

funds from the Marijuana Tax Cash Fund to the Department of Human Services and states the assumption that the Department will require an additional 0.8 FTE.

#### **H.B. 19-1225 NO MONETARY BAIL FOR CERTAIN LOW-LEVEL OFFENSES**

Prohibits the use of monetary bonds for any defendant charged with a petty offense, traffic offense, or a comparable municipal offense. The use of monetary bond as part of a local pretrial release is allowed, if the defendant is informed that they are entitled to release on a non-monetary (personal recognizance) bond if he or she waits for the required bond hearing. Monetary bond conditions may be used for a defendant who fails to appear in court or violates a condition of their release on bond.

#### **H.B. 19-1228 COLORADO AFFORDABLE HOUSING TAX CREDIT**

For tax years 2020 through 2024, increases the annual amount of the Colorado Affordable Housing Tax Credit that the Colorado Housing and Finance Authority may allocate from \$5.0 million to \$10.0 million. As a result, will reduce General Fund revenue by a total of \$150.0 million over a 12-year period starting in FY 2020-21.

#### **H.B. 19-1229 ELECTRONIC PRESERVATION OF ABANDONED ESTATE DOCUMENTS**

Requires the Judicial Department to electronically preserve abandoned estate planning documents. Establishes a procedure for determining that documents are abandoned. Allows the Department to set and collect fees once the system is operating. Because the act does not take effect until January 2021, it is expected to require a General Fund appropriation to the Judicial Department of \$153,376 in FY 2020-21 and a cash fund appropriation of \$67,653 in FY 2021-22.

#### **H.B. 19-1230 MARIJUANA HOSPITALITY ESTABLISHMENTS**

Beginning January 1, 2020, allows for the operation of marijuana hospitality establishments and retail marijuana hospitality and sales establishments, as approved by a local government. The bill sets provisions for hospitality establishments, including definitions, licensing, rules, and exceptions to currently illegal acts. Beginning January 1, 2020, the MED may issue licenses for marijuana hospitality establishments and hospitality and sales establishments, conditional upon local government approval. Current law prohibits the public consumption and possession of small amounts of retail or medical marijuana, or evidence of marijuana consumption, on premises licensed by the MED. The bill creates an exception for display, consumption, and possession at a licensed marijuana hospitality or hospitality and sales establishment. The bill also creates an exception to the Clean Indoor Air Act for marijuana smoking that occurs in the hospitality space within a licensed hospitality or hospitality and sales establishment, if authorized by a local government ordinance, license, or regulation.

The bill establishes procedures for application submittal, denial, and revocation. Licenses are good for a period of time set for the licensee by the local government, not to exceed one year. The MED may set application and renewal fee amounts by rule. The bill establishes requirements for the licensee and employees of the licensed establishment, including that licensees prohibit the smoking or consumption of alcohol and tobacco products, and all employees must complete an annual responsible vendor training program that is approved by the MED. The bill adds that information on serving size, potency, and impairment must be included in approved responsible vendor training. The MED must promulgate rules related to the implementation of both license types, including general liability insurance requirements, a sales limit, and restrictions on the types of retail marijuana sold at hospitality and sales establishment.

Appropriates \$399,479 cash funds to the Department of Revenue from the Marijuana Cash Fund and 3.2 FTE, reappropriates \$72,023 and 0.3 FTE to the Department of Law for legal services, reappropriates \$4,576 to the Department of Public Safety for criminal history record checks, and reappropriates \$4,790 to the Department of Personnel for fleet vehicles for FY 2019-20.

**H.B. 19-1233 (INVESTMENTS IN PRIMARY CARE TO REDUCE HEALTH COSTS):** Creates a primary care payment reform collaborative in the Department of Regulatory Agencies to make recommendations on primary care

payment reform, and requires health insurance carriers to establish targets for investments in primary care. Appropriates \$109,679 cash funds and 0.4 FTE to the Department of Regulatory Agencies for FY 2019-20 to provide ongoing staff support to the collaborative and to contract with an actuary to assist in developing affordability standards and preparing the first annual report.

#### **H.B. 19-1234 REGULATED MARIJUANA DELIVERY**

Creates a marijuana delivery permit to allow licensed medical marijuana centers, licensed retail marijuana stores, and medical and retail marijuana transporters to deliver marijuana and marijuana products to customers. The MED in the Department of Revenue has rulemaking authority over the permit and delivery system.

Delivery permit issuances are valid for one-year and the bill establishes marijuana delivery requirements, including:

- requiring responsible vendor training programs to include marijuana delivery training;
- requiring a \$1.00 surcharge on each delivery to be remitted to the municipality or county where the establishment is in business to be used for law enforcement purposes;
- prohibiting more than one delivery to the same person per day;
- requiring the MED to provide a prompt response to local law enforcement agencies requesting information related to criminal activity materially related to marijuana delivery; and
- prohibiting delivery in jurisdictions that prohibit the operation of other licensed marijuana businesses.

The MED must issue a report to the Finance Committees of the General Assembly by January 2, 2021, regarding the number of medical marijuana center delivery permit applications and issuances, any findings of criminal activity materially related to delivery, and any incident reports of felony charges materially related to delivery.

Appropriates \$390,152 cash funds from the Marijuana Cash Fund and 3.6 FTE to the Department of Revenue, reappropriates \$35,752 and 0.2 FTE to the Department of Law for legal services, and reappropriates \$4,950 to the Department of Personnel for fleet vehicles for FY 2019-20.

#### **H.B. 19-1236 WORKFORCE DIPLOMA PILOT PROGRAM**

Creates the Workforce Diploma Pilot Program in the Department of Education to provide performance payments to qualified providers of dropout recovery services for eligible adult students who achieve specified education milestones. Specifies criteria to qualify as a service provider as well as student eligibility under the bill. Also specifies performance payment amounts based on the attainment of specific milestones and limits total payments under the bill to no more than \$7,000 for an individual student. Creates annual reporting requirements for service providers to report data to the Department of Education and for the Department of Education to report to the General Assembly. For FY 2019-20, appropriates \$1,012,201 General Fund and 0.2 FTE to the Department of Education.

#### **H.B. 19-1237 LICENSING BEHAVIORAL HEALTH ENTITIES**

Consolidates various licenses for behavioral health services into a single behavioral health entity (BHE) license to be administered by the Department of Public Health and Environment (CDPHE) and authorizes the state board of health to promulgate rules for the new license. The Department of Human Services (DHS) will fund the costs of licensing activities related to behavioral health entity licensing for DHS and CDPHE, less money collected from the Behavioral Health Entity Cash Fund, through June 30, 2024. This funding will come from the federal Mental Health and Substance Abuse Prevention and Treatment block grant and will cover the licensing function costs that are transferred to CDPHE under this bill until the CDPHE program is self-sufficient through its own fee revenue. For FY 2019-20, appropriates \$51,472 General Fund and 0.5 FTE to the Department of Public Health and Environment.

#### **H.B. 19-1239 2020 CENSUS OUTREACH GRANT PROGRAM**

Creates the 2020 Census Outreach Grant Program within the Department of Local Affairs' Division of Local Government to provide grants to eligible recipients in order to support an accurate census count in 2020. Eligible

recipients may use the awarded grant money to conduct education, outreach, and promotion activities to target hard-to-reach communities and increase the census response rate. Creates a seven-member 2020 Census Outreach Grant Program Committee to review and make recommendations concerning grant applications. Requires the Department of Local Affairs and the Office of the Governor to develop a strategic action plan for outreach, education, and promotion of a successful decennial census count by May 1, 2026, and every 10 years thereafter. Appropriates \$6.0 million General Fund to the Department of Local Affairs for FY 2019-20 and authorizes the Department to re-grant any unencumbered and unspent funds as of June 30, 2020, for use in FY 2020-21. States that the Department will require 1.4 FTE to implement the act.

#### **H.B. 19-1240 SALES AND USE TAX ADMINISTRATION**

Codifies the Department of Revenue's rules regarding the requirement that out-of-state retailers collect and remit sales tax, establishes destination-based sourcing rules, and requires marketplace facilitators to collect and remit sales tax on behalf of their third-party vendors.

Defines an economic nexus for purposes of retail sales made by retailers without physical presence and applies it to out-of-state retailers with over \$100,000 in sales into the state during the last calendar year. Regarding in-state sales tax sourcing rules, the bill codifies and expands upon DOR emergency rules regarding the change from origin-based to destination-based sales tax sourcing for both purchases and leases, and exempts retailers that do not meet the de minimus threshold. The destination sourcing rules apply to retailers with physical presence that have over \$100,000 in retail sales in the state during the previous calendar year. If a retailer does not meet the threshold, the sale is sourced to the business location of the retailer regardless of where the goods are delivered. This threshold remains effective until 90 days after the state is notified that a geographic information system (GIS) address location system for sales tax jurisdictions is online and available for use by retailers. After the GIS system is available, all sales will be sourced to the delivery location.

Defines marketplace facilitators for sales tax purposes and requires them to start collecting and remitting sales tax in Colorado. A marketplace can be either online or physical, including a store, a website, a catalog, or a software. A marketplace facilitator is defined as an entity that facilitates sales of marketplace sellers to purchasers on its platform, communicates the offer between the buyer and seller, and provides a payment processing service.

#### **H.B. 19-1242 (BOARD OF PHARMACY REGULATE PHARMACY TECHNICIANS)**

Requires pharmacy technicians to become certified by the Colorado Board of Pharmacy. Appropriates \$183,063 cash funds and 1.2 FTE to the Department of Regulatory Agencies for FY 2019-20 to regulate pharmacy technicians. Of this amount, \$15,545 is reappropriated to the Department of Law for the provision of legal services to the Department of Regulatory Agencies. Additionally, appropriates \$128,188 cash funds and 0.7 FTE to the Department of Public Safety for FY 2019-20 to process fingerprint background applications of pharmacy technicians.

#### **H.B. 19-1245 AFFORDABLE HOUSING FUNDING FROM VENDOR FEE CHANGES**

Beginning January 1, 2020, increases the "vendor fee" (an amount that a retailer is permitted to retain for its expenses incurred in collecting and remitting the state sales tax) from 3.33 percent to 4.0 percent, subject to a \$1,000 monthly cap. This limit applies regardless of the number of the retailer's locations, and a vendor with multiple locations is required to register all locations under one account with the Department of Revenue (DOR). Excludes the increase in sales taxes attributable to the vendor fee changes from the definition of "state sales tax increment revenue" for purposes of the "Colorado Regional Tourism Act" so that the increase is payable to the State and not an applicable financing entity. As a result, will increase State sales tax revenue that is credited to the General Fund by an estimated \$23.1 million in FY 2019-20, \$47.9 million in FY 2020-21, and \$49.4 million in FY 2021-22 and subsequent fiscal years.

The act is anticipated to increase State income tax revenue that is credited to the General Fund by \$233,000 in FY 2019-20 and by larger amounts in subsequent fiscal years.

Appropriates \$286,408 to DOR for FY 2019-20, and states that DOR will require 0.4 FTE to implement the act.

Requires the State Treasurer to credit to the existing Housing Development Grant Fund (HDGF) an amount equal to the increase in sales taxes attributable to the vendor fee changes, minus the following specified amounts that will instead be retained in the General Fund:

- \$15,335,781 for FY 2019-20 (resulting in an estimated \$7.8 million being credited to the HDGF);
- \$40,323,158 for FY 2020-21 (resulting in an estimated \$7.6 million being credited to the HDGF); and
- \$985,335 for FY 2021-22 and subsequent fiscal years (resulting in an estimated \$48.4 million being credited to the HDGF).

Requires the Department of Local Affairs' (DOLA) Division of Housing to annually award at least one-third of the amount that is credited to the HDGF for affordable housing projects for households whose annual income is less than or equal to 30 percent of the area median income.

Appropriates \$286,408 to the Department of Revenue for FY 2019-20, and states that DOR will require 0.4 FTE to implement the act. Appropriates \$3,398 General Fund to the Department of Local Affairs for FY 2019-20. As the HDGF is continuously appropriated to DOLA, the act does not include an appropriation from this fund.

#### **H.B. 19-1248 LOBBYIST TRANSPARENCY ACT**

Requires lobbyists to provide additional disclosure statements to the Secretary of State during a regular or special session when they agree to lobby in connection with a new bill or take a new position on an existing bill for a new or existing client. Appropriates \$38,160 from the Department of State Cash Fund to the Department of State for FY 2019-20.

#### **H.B. 19-1257 VOTER APPROVAL TO RETAIN REVENUE**

This act referred a measure for voter approval at the November 2019 election which would have permitted the State to retain all revenue collected in excess of the state TABOR limit and to spend this revenue for: (1) public schools; (2) higher education; and (3) roads, bridges, and transit. This measure was not approved by voters.

#### **H.B. 19-1258 ALLOCATE VOTER-APPROVED REVENUE**

If H.B. 19-1257 had been approved by voters in November 2019, this act would have: utilized one third of the revenue retained by that act for FY 2019-20 and subsequent years for transportation projects; and transferred retained revenue to public schools and higher education.

#### **H.B. 19-1261 CLIMATE ACTION PLAN TO REDUCE POLLUTION**

Sets statewide greenhouse gas pollution reduction goals relative to 2005 statewide greenhouse gas pollution levels and requires the Air Quality Control Commission to adopt rules and regulations for statewide greenhouse gas pollution reduction. Appropriates \$281,588 General Fund to the Department of Public Health and Environment for FY 2019-20, based on the assumption it will require an additional 2.0 FTE. Appropriates \$93,267 reappropriated funds and 0.5 FTE to the Department of Law for the provision of legal services.

#### **H.B. 19-1262 STATE FUNDING FOR FULL-DAY KINDERGARTEN**

Provides funding for full-day kindergarten programs through the school finance formula. Increases the funding allocation for each full-day kindergarten student in the school finance formula from 0.58 student FTE under current law to 1.0 student FTE. Prohibits LEPs from charging any fees for full-day kindergarten that are not routinely charged for students enrolled in other grades. Prohibits the use of Early Childhood At-risk Enhancement (ECARE) slots to provide full-day kindergarten and reallocates existing ECARE slots to be available for preschool students. Repeals the Hold-harmless Full-day Kindergarten Program. For FY 2019-20, makes the following appropriation changes:

- Eliminates the Long Bill appropriation of \$8,939,591 cash funds from the State Education Fund to the Department of Education for Hold-harmless Full-day Kindergarten Funding.
- Appropriates a total of \$182,922,699 (including \$173,972,108 General Fund and \$8,939,591 cash funds from the State Education Fund) to the Department of Education for the State Share of Districts' Total Program Funding.
- Appropriates \$25,094 General Fund and 0.3 FTE to the Department of Human Services.

#### **H.B. 19-1263 OFFENSE LEVEL FOR CONTROLLED SUBSTANCE POSSESSION**

Reclassifies several existing drug felonies as drug misdemeanors, reduces fine penalties and jail terms for drug misdemeanors, and makes several other changes to sentencing for drug offenses. Creates the Community Substance Use and Mental Health Services Grant Program in the Department of Local Affairs, which will make grants to counties that provide substance use or mental health treatment services in order to facilitate legal diversion programs or develop other strategies to reduce the jail and prison populations. Require the General Assembly, beginning in FY 2020-21, to annually appropriate at least \$1,800,000 from the General Fund to this grant program. Increases the net General Fund appropriation to the Judicial Department by \$74,409 and increases net Judicial Department FTE by 0.4.

#### **H.B. 19-1264 CONSERVATION EASEMENT TAX CREDIT MODIFICATIONS**

Continues the Conservation Easement Oversight Commission and the conservation easement certification program in the Department of Regulatory Agencies until July 1, 2026. Appropriates \$500,000 cash funds and 3.8 FTE to the Department of Regulatory Agencies for FY 2019-20 to support the program to certify conservation easement holders. Additionally, appropriates \$250,000 General Fund to the Department of Higher Education to enter into a fee-for-service contract with Colorado State University to provide public access to the Colorado Ownership, Management, and Protection (COMaP) service.

#### **H.B. 19-1265 RIGHT-OF-WAY FOR SNOWPLOWS IN ECHELON FORMATION**

Under current law, drivers must exercise care and caution when passing a snowplow engaged in snow and ice removal. Failure to do so is a class B traffic infraction. This bill makes it a class A traffic infraction if a driver passes a snowplow operated by a state, county, or local government while performing its service in a echelon formation, as defined by the bill. The bill does not change penalties for passing a snowplow. Appropriates \$3,375 cash funds from the Licensing Services Cash Fund to the Department of Revenue for IT programming for the DRIVES system for FY 2019-20.

#### **H.B. 19-1266 RESTORE VOTING RIGHTS PAROLEES**

Allows an individual on parole to register to vote and to vote in any election. Appropriates \$16,960 from the Department of State Cash Fund to the Department of State for FY 2019-20.

#### **H.B. 19-1269 MENTAL HEALTH PARITY INSURANCE MEDICAID**

Requires coverage of behavioral, mental health, and substance use disorder services in parity with physical health services provided through private health insurance and Medicaid. Appropriates \$88,248 cash funds and 1.1 FTE to the Department of Regulatory Agencies for FY 2019-20 to compile and review parity reporting from approximately 500 health insurers, conduct an analysis of the reporting, and formulate an annual report, as well as to respond to mental health coverage complaints. Additionally, appropriates \$334,001 total funds, including \$113,560 General Fund, and 3.0 FTE to the Department of Health Care Policy and Financing for FY 2019-20 to manage a stakeholder process and create new reimbursement and utilization procedures, compile and review parity reporting from manage care entities, conduct an analysis and formulate an annual report, and respond to mental health coverage complaints.

#### **H.B. 19-1275 INCREASED ELIGIBILITY FOR CRIMINAL RECORD SEALING**

Modifies statutes related to sealing criminal records, such as records of arrest and conviction. Makes it possible in most cases to seal records at less cost to the defendant than the cost under prior law. For FY 2019-20, appropriates

\$47,361 cash funds and 0.8 FTE to the Judicial Department and appropriates \$443,847 cash funds and 6.6 FTE to the Department of Public Safety.

#### **H.B. 19-1277 COMPUTER SCIENCE GRANT PROGRAM**

Creates the Computer Science Education Grant Program in the Department of Education, beginning in FY 2020-21, to provide money to public schools or school districts in order to increase enrollment or participation of traditionally underrepresented students in computer science education. Specifies minimum requirements for the grant application process and the Department's prioritization of requests. Creates annual reporting requirements for grant recipients to report to the Department (beginning in October 2021) and for the Department to report to the General Assembly (beginning in January 2022). Does not require an appropriation for FY 2019-20 but is expected to require an annual appropriation of \$250,000 General Fund beginning in FY 2020-21.

#### **H.B. 19-1278 MODIFICATIONS TO UNIFORM ELECTION CODE**

Makes several changes to the "Uniform Election Code of 1992," including changes to voter registration procedures, party filing requirements, procedures for curing ballots, provisional ballots, and other technical changes. The bill also allows preregistered 17 year olds to participate in primary elections and caucuses if they will be 18 by the date of the next general election and requires counties to locate some voter services and polling centers on higher education campuses. Appropriates \$2,402,243 total funds, including \$2,118,590 General Fund and \$283,653 from the Department of State Cash Fund, to the Department of State for FY 2019-20. Provides \$2,790 reappropriated funds from the Department of State to the Department of Personnel to pay for costs expected to be incurred by the Address Confidentiality Program for changes to forms and documents.

#### **H.B. 19-1279 PROTECT PUBLIC HEALTH FIREFIGHTER SAFETY REGULATE PFAS**

Prohibits the use of class B firefighting foam that contains intentionally added perfluoroalkyl and polyfluoroalkyl (PFAS) substances for training purposes and includes civil penalties. It requires the Department of Public Health and Environment to survey fire departments about issues related to PFAS foam. Appropriates \$55,278 General Fund to the Department for FY 2019-20, based on the assumption that it will require an additional 0.7 FTE.

#### **H.B. 19-1282 COURT APPOINTED SPECIAL ADVOCATE PROGRAM OVERSIGHT**

Requires the Office of the Child's Representative in the Judicial Department to contract with a nonprofit state-court-appointed special advocate (CASA) entity and provide funding to the entity for allocation to local CASA programs. The state CASA entity must annually provide the Office with (1) the formula it will use to allocate money to local CASA programs, and (2) a report on all CASA activities.

#### **H.B. 19-1283 DISCLOSURE OF INSURANCE LIABILITY COVERAGE**

Requires insurers that provide automobile liability insurance to disclose to claimants the limits of the insured party's liability coverage and to provide a copy of the insurance policy upon request. Appropriates \$12,599 cash funds and 0.2 FTE to the Department of Regulatory Agencies for FY 2019-20 to respond to requests for policy information.

#### **H.B. 19-1287 TREATMENT FOR SUBSTANCE USE DISORDERS**

Requires the Department of Human Services (DHS) to establish a centralized, web-based behavioral health capacity tracking system to track bed space use and availability at crisis stabilization units, acute treatment units, community mental health centers, and hospitals. Requires DHS to establish a care navigation system to assist individuals in accessing substance use disorder treatment. Creates the Building Substance Use Disorder Treatment Capacity in Underserved Communities Grant Program to be administered by DHS to support substance use disorder treatment capacity-building in rural and frontier communities.

Appropriates \$5,589,334 cash funds from the Marijuana Tax Cash Fund for FY 2019-20 to DHS and states the assumption that DHS will require an additional 2.5 FTE to implement the act. Appropriates \$21,733 General Fund and \$10,228 cash funds for the Department of Health Care Policy and Financing (HCPF) for FY 2019-20 to assist in care coordination for Medicaid clients, and states the assumptions that HCPF will receive \$31,961 federal funds



and require 0.8 FTE to implement the act. Reappropriates \$160,206 to the Governor's Office of Information Technology for the provision of services to DHS.

#### **H.B. 19-1292 COLORADO RESILIENCY OFFICE REAUTHORIZATION FUNDING**

Repeals the requirement that the Colorado Resiliency Office in the Department of Local Affairs (DOLA) be grant funded, and repeals the Office September 1, 2022, following a sunset review conducted by the Department of Regulatory Agencies. Appropriates \$249,454 General Fund to DOLA for FY 2019-20, and states that DOLA will require 2.7 FTE to implement the act.

#### **H.B. 19-1294 TRANSFER APPRENTICESHIP CREDIT TO COLLEGE CREDIT**

Creates a working group in the Community College System in the Department of Higher Education to study the transfer of construction industry registered apprenticeship program credit to college credit. For FY 2019-20, provides a one-time appropriation of \$15,000 General Fund to the Department of Higher Education and reappropriates this amount to the State Board for Community Colleges and Occupational State System Community Colleges.

#### **H.B. 19-1297 JAIL CAPACITY DATA COLLECTION**

Requires jail facilities to keep and maintain daily records regarding inmate population, capacity, inmate holds, inmates awaiting competency evaluation, inmates with substance addiction, and average lengths of stay. Requires each jail facility to submit a report containing this data to the Division of Criminal Justice in the Department of Public Safety. Appropriates \$26,107 General Fund and 0.3 FTE to the Department for FY 2019-20.

#### **H.B. 19-1300 VEHICLE IDENTIFICATION NUMBER INSPECTION FEE**

Increases the fee for performing a certified vehicle identification number (VIN) inspection from \$20 to \$50 and limits inspector certification to three years. Beginning in FY 2019-20, increases state and local revenues and expenditures on an ongoing basis. State expenditures may increase for the Department of Public Safety's Colorado State Patrol; any increase in expenditures will be requested through the annual budget process.

#### **H.B. 19-1302 CANCER TREATMENT & LICENSE PLATE SURCHARGE**

Reauthorizes the Breast and Cervical Cancer Treatment and Prevention Program and Fund in the Department of Health Care Policy and Financing. Provides \$2,425,021 to the Department in FY 2019-20, including \$857,783 cash funds and \$1,567,238 federal funds.

#### **H.B. 19-1308 FOSTER CARE PREVENTION SERVICES**

Authorizes the Department of Human Services to establish and implement a foster care prevention services program for families with children and youth who are candidates for foster care but who can safely remain at home with receipt of foster care prevention services and establishes requirements concerning the placement of children in a qualified residential treatment program in order to comply with the federal Family First Prevention Services Act. Requires the Department to implement the provisions of the bill when the federal government approves Colorado's five-year Title IV-E prevention plan.

#### **H.B. 19-1309 MOBILE HOME PARK ACT OVERSIGHT**

Increases the authority of counties and municipalities to enact certain ordinances for mobile home parks. Allows mobile home owners additional time between the notice of nonpayment of rent and eviction, and additional time to vacate a mobile home park after a court ordered eviction. Creates the Mobile Home Park Act Dispute Resolution and Enforcement Program to be administered by the Department of Local Affairs (DOLA). Creates the Mobile Home Park Act Dispute Resolution and Enforcement Program Fund, which consists of mobile home park registration fee revenue, and continuously appropriates money in the Fund to DOLA for administering the program. For FY 2019-20, appropriates \$22,073 cash funds to the Department of Law and \$130,065 cash funds to the Governor's Office of Information Technology (OIT), and states that the Department of Law will require 0.1

FTE to implement the act. The source of cash funds is registration fee revenue collected by DOLA and transferred to these agencies.

#### **H.B. 19-1310 INTEREST ON ORDERS OF RESTITUTION**

Specifies that interest on restitution orders does not accrue in juvenile cases where the defendant is under 21 and in criminal cases where the defendant is incarcerated in a correctional facility operated by or under contract with the Department of Corrections. Lowers the interest rate on restitution orders to 8 percent if the rate is currently 12 percent. For FY 2019-20, appropriates \$220,480 cash funds to the Judicial Department.

#### **H.B. 19-1314 JUST TRANSITION FROM COAL-BASED ELECTRICITY ENERGY ECONOMY**

Creates the Just Transition Office in the Department of Labor and Employment (CDLE) to provide worker benefits, award grants, and receive utility reports related to coal plant retirement. Appropriates \$155,758 General Fund to CDLE for FY 2019-20, based on an assumption that the Department will require an additional 1.8 FTE. Also appropriates \$920 General Fund to the Legislative Department. Anticipated to require appropriations of \$189,290 General Fund for CDLE, assuming 2.0 FTE, and \$920 General Fund for the Legislative Department for FY 2020-21 and subsequent years.

#### **H.B. 19-1316 MODERNIZING MARRIAGE LAWS FOR MINORS**

Sets the minimum age for marriage at 16 and requires judicial approval of any marriage where a party is under 18. Appropriates \$59,850 General Fund to the Office of the Child's Representative in the Judicial Department.

#### **H.B. 19-1318 THE CLEAN CAMPAIGN ACT OF 2019**

Modifies the Fair Campaign Practices Act to define "small-scale issue committee" as an issue committee that has accepted or made contributions or expenditures less than \$5,000 for the purpose of supporting or opposing any ballot issue or question. Appropriates \$42,650 from the Department of State Cash Fund to the Department of State for FY 2019-20.

#### **H.B. 19-1320 HOSPITAL COMMUNITY BENEFIT ACCOUNTABILITY**

Requires nonprofit hospitals to perform a community health needs assessment, create a community benefit implementation plan, solicit annual feedback on community benefit activities, and submit annual reports to the Department of Health Care Policy and Financing.

#### **H.B. 19-1322 EXPAND SUPPLY OF AFFORDABLE HOUSING**

Requires the State Treasurer to annually transfer \$30.0 million from the Unclaimed Property Trust Fund to the Housing Development Grant Fund (HDGF) for a total of three years starting in FY 2020-21. The amount transferred on June 30 each year is based on the balance in the Unclaimed Property Trust Fund as of June 1 each fiscal year, as well as the Legislative Council Staff's annual June economic and revenue forecast. Requires the transfer to be made if the June forecast indicates that state revenues for the current fiscal year are estimated to be at least \$30.0 million below the excess state revenues cap. Specifies that for each state fiscal year that a transfer is not made, the last year in which a transfer may be made is extended for an additional state fiscal year. Expands the specified purposes for which the Department of Local Affairs (DOLA) may use the funds that are transferred to the HDGF. Authorizes DOLA to expend money from the HDGF to hire and employ individuals to fulfill the purposes of the act, subject to the existing limitation on the percentage of money in the HDGF that may be expended for administrative expenses. As the HDGF is continuously appropriated to DOLA, the act does not include an appropriation from this fund.

#### **H.B. 19-1326 RATES FOR SENIOR LOW-INCOME DENTAL PROGRAM**

Changes the statutory minimum rates for the senior dental program from the rates paid by a predecessor program to equivalent rates paid by Medicaid and requires the Department of Health Care Policy and financing to review and make recommendations regarding the operation and effectiveness of the program.

## **H.B. 19-1327 AUTHORIZE AND TAX SPORTS BETTING REFER UNDER TABOR**

Conditional upon voter approval, this bill decriminalizes sports betting and places it under the authority of the Division of Gaming in the Department of Revenue (DOR) and the Colorado Limited Gaming Control Commission (Commission). Both in-person and online bets must be placed in Colorado and are limited to people 21 years of age or older. Upon statewide voter approval, beginning in May 2020, sports betting will be allowed both in-person at casinos in the State's three gaming towns (Black Hawk, Central City, and Cripple Creek), if approved by local voters, and online through internet sports betting operators contracted by casinos.

The Commission is permitted to issue at least three types of licenses as defined in the bill. The license, and subsequent license renewal fee, cannot exceed \$125,000 and must be renewed every two years. The following entities may not hold an ownership interest or be employed by a sports betting operator or licensee:

- an athlete, coach, referee, employee, or the director of a sports governing body or any team that is a member of a sports governing body;
- a sports governing body or any of its member teams;
- an agent, union, or union representative that advocates for players, referees, or other personnel involved in sporting events;
- a person who holds a position of authority that may exert influence over participants in a sporting event;
- a person with access to nonpublic information about any sports event overseen by that person's sports governing body; or
- a person identified by the sports governing body to have potential conflicts of interest.

Members of the Commission and employees of the Division of Gaming may not participate in sports betting activities, since they are considered to hold positions of public trust.

Upon voter approval, a ten percent tax will be levied on net sports betting proceeds. All of the revenue generated by this tax will be deposited into the newly created Sports Betting Fund, along with all licensing fees, fines, and penalties. All of the expenses associated with regulating, administering, and investigating sports betting activity will be paid out of the Sports Betting Fund. The treasurer can invest the money in the fund as long as enough money remains to cover administrative expenses at any given time. Any additional funds may be spent by the state and are continuously appropriated.

This bill creates the Hold Harmless Fund, which will distribute six percent of total sports betting tax revenue to entities that may see a decrease in revenue if betting behavior shifts from casino-game and off-track parimutuel bets to sports betting. Each entity may submit an annual application to the gaming commission to receive a portion of those funds once it shows the loss in revenue attributable to the implementation of sports betting. If there is not sufficient revenue to cover all documented losses, the gaming commission will decrease distributions by a uniform percentage so that each receives a share proportionate to their losses. The following entities may apply for a distribution from this fund:

- the State Historical Fund;
- community colleges;
- the cities of Black Hawk, Central, and Cripple Creek;
- the counties of Gilpin and Teller; and
- any person or entity that benefits from purse funds, including off-track betting sites and the horse breeders' and owners' awards and supplemental purse fund.

This bill creates the Water Plan Implementation Cash Fund, which will receive deposits from sports betting revenue and any other money allocated by the General Assembly. Grants may be made from this fund pursuant to Section 37-60-106.3 (6), C.R.S., along with any expenditures that will ensure compliance with interstate water allocation compacts, equitable apportionment decrees, international treaties, and federal laws relating to interstate storage,

release, apportionment, and allocation of water. Any expenditures related to the administration of this fund may also be paid out of the fund.

The distribution of all moneys credited to the Sports Betting Fund shall occur in the following order:

- 1 repayment of General Fund moneys provided for start up costs for the Division of Gaming;
- 2 payment of ongoing Division of Gaming administrative expenses for sports betting. The state treasurer may withhold an amount to cover administrative expenses for the following fiscal year;
- 3 transfer of six percent of the full fiscal year sports betting tax revenue to the Hold Harmless Fund, which will be further distributed to its beneficiaries, as described below;
- 4 transfer of \$130,000 to the Office of Behavioral Health in the Department of Human Services, of which \$30,000 will be allocated to the Rocky Mountain Crisis Partners, or its successor, for the operation of a crisis hotline for gamblers, and \$100,000 will be allocated for the prevention, education, treatment, and workforce development by counselors certified to treat gambling disorders; and
- 5 transfer of the remaining funds to the Water Plan Implementation Cash Fund.

After the initial appropriation to cover startup costs, the bill requires that no state money other than the revenue in the fund will be used to pay the administrative expenses of sports betting in the state. Appropriates \$1.7 million General Fund and 11.6 FTE to DOR, reappropriates \$142,388 and 0.8 FTE to the Department of Law for legal services, reappropriates \$34,650 to the Department of Personnel for fleet vehicles, and reappropriates \$1,716 to the Department of Public Safety for criminal history record checks for FY 2019-20.

#### **H.B. 19-1332 TELEPHONE USERS DISABILITIES FUND TALKING BOOK LIBRARY**

Authorizes the use of the Colorado Telephone Users with Disabilities Fund to support the furnishing of library services to persons who are blind and physically disabled, including persons who cannot use printed materials in their conventional format. Appropriates \$250,000 cash funds from the Colorado Telephone Users with Disabilities Fund to the Department of Regulatory Agencies and reappropriates that amount to the Department of Education to support the Colorado Talking Book Library.

## **SELECT BILLS FROM SESSIONS PRIOR TO 2019**

#### **S.B. 18-001 TRANSPORTATION INFRASTRUCTURE FUNDING**

Provides additional funding for transportation and conditionally modifies the lease-purchase provisions of S.B. 17-267.

- On July 1, 2018, transferred \$495.0 million from the General Fund to funds that support state and local transportation projects, with 70 percent (\$346.5 million) going to the State Highway Fund, which supports the Colorado Department of Transportation (CDOT), 15 percent (\$74.25 million) to a new Multimodal Transportation Options Fund (“Multimodal Fund”) in CDOT, and 15 percent to the Highway Users Tax Fund (HUTF) for distribution to counties and municipalities. Of the \$74.25 million transferred to the Multimodal Fund, \$2.5 million is subsequently transferred to the Southwest Chief Rail Line Economic Development, Rural Tourism, and Infrastructure Repair and Maintenance Fund, which is appropriated in CDOT.
- On July 1, 2019, transfers an additional \$150.0 million from the General Fund, with \$105.0 million going to the State Highway Fund, \$22.5 million to the Multimodal Fund, and \$22.5 million to the HUTF for counties and municipalities.
- Other provisions in the bill were contingent on passage of Propositions 109 and/or 110 at the 2018 election, which both failed, thus triggering other contingencies in the bill:

- \$50.0 million is annually transferred from the General Fund to the State Highway Fund for 20 years, beginning in FY 2019-20 and ending FY 2038-39, which closely aligns with CDOT's debt service obligations under S.B. 17-267.
- A ballot measure is sent to voters at the 2019 election, asking for approval of a debt issue by CDOT of \$2.34 billion of Transportation Revenue Anticipation Notes with a 20 year repayment period and with debt service payments coming from the State Highway Fund. This ballot measure was delayed and modified by S.B. 19-263 and then cancelled by H.B. 20-1376. If voters had approved the measure contained in S.B. 18-001, the 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> years of lease-purchase agreements issued pursuant to S.B. 17-267 would have been cancelled and \$72.6 million would have been annually transferred from the General Fund to the State Highway Fund for 20 years, in addition to the annual \$50.0 million transfer.

**S.B. 18-200 (ELIMINATE UNFUNDED LIABILITY IN PERA):** Modifies the hybrid defined benefit plan administered by the Colorado Public Employees' Retirement Association (PERA) with the goal of eliminating the unfunded actuarial accrued liability of each of PERA's divisions within 30 years. The bill creates ongoing state revenue reductions; ongoing state and local expenditure increases; and ongoing PERA revenue increases. Changes to the defined benefit plan include the following:

- *DIRECT DISTRIBUTION:* On July 1, 2018, and on July 1 each year thereafter until each PERA division that receives a direct distribution is fully funded, the State Treasurer is required to issue a warrant to PERA in an amount equal to \$225.0 million to be paid from the General Fund or any other fund; the Governor's Office of State Planning and Budgeting may include funding sources other than the General Fund in the Governor's annual budget request. PERA is required to allocate the direct distribution to the trust funds of each division of PERA, except for the Local Government Division, as it would an employer contribution, in a manner that is proportionate to the annual payroll of each division.
- *INCREASE IN MEMBER CONTRIBUTIONS:* On July 1, 2019, and on July 1, 2020, the monthly member contribution to PERA will increase by 0.75 percent of salary. On July 1, 2021, the monthly member contribution to PERA will increase by 0.5 percent of salary. When all increases are fully implemented, the total contribution will be 10.0 percent of salary each month for PERA members who are not state troopers and 12.0 percent each month for PERA members who are state troopers.
- *INCREASE IN EMPLOYER CONTRIBUTIONS:* On July 1, 2019, the monthly employer contribution to PERA on behalf of members will increase by 0.25 percent of salary; except that the increase does not apply to employers in the Local Government Division. The total increased contribution will be equal to 10.4 percent of salary each month for most PERA employers, 13.1 percent each month for PERA employers who employ state troopers, and 13.91 percent for PERA employers in the Judicial Division.
- *COST OF LIVING ADJUSTMENT (COLA) FOR ALL RETIREES, MEMBERS, AND INACTIVE MEMBERS:* For the years 2018 and 2019, the COLA is reduced from 2.0 percent to 0.0 percent. For each year thereafter, the COLA is 1.5 percent, unless it is adjusted pursuant to the automatic adjustment provision. In addition, benefit recipients whose effective date of retirement is on or after January 1, 2011, and who have not received a COLA on or before May 1, 2018, receive benefits for at least a 36-month period following retirement before receiving a COLA adjustment.
- *AUTOMATIC CONTRIBUTION, ANNUAL INCREASE, AND DIRECT DISTRIBUTION AMOUNT CHANGES:* When the blended total contribution (BTC) amount is less than 98.0 percent of the blended total actuarially required contribution (BRTARC), provides automatic yearly adjustments to the following components so the fund remains on a path to pay off the unfunded liability within 30 years:
  - Up to 0.5 percent per year and up to 2.0 percent total on the employer contribution rate;
  - Up to 0.5 percent per year and up to 2.0 percent total on the member contribution rate;
  - Up to 0.25 percent per year and 0.5 percent total on the annual increase percentage (also known as the cost-of-living adjustment or COLA) for retirement benefits; and
  - Up to \$20.0 million per year, but not to exceed \$225.0 million, for the direct distribution to PERA.

The automatic adjustment provision similarly requires decrease adjustments when the BTC amount is greater than or equal to 110.0 percent of the BTARC. The BTC represents the total contribution or its equivalent provided by the automatic adjustment components. The BTARC represents the total actuarial required contribution or ARC, which represents a full annual payment to enable the unfunded liability to be paid within 30 years, as provided by the automatic adjustment components.

- *HIGHEST AVERAGE SALARY (HAS)*: For PERA members not in the Judicial Division hired on or after January 1, 2020, or who do not have 5 years of service credit as of January 1, 2020, the HAS calculation is modified to be based on an average of the highest annual salaries associated with 5 periods of 12 consecutive months of service with a base year, rather than 3 periods of 12 consecutive months of services with a base year. For Judicial Division members the HAS calculation is modified to be based on an average of the highest annual salaries associated with 3 periods of 12 consecutive months of service with a base year, rather than 12 consecutive months of service.
- *SERVICE RETIREMENT ELIGIBILITY FOR NEW MEMBERS*: For PERA members hired on or after January 1, 2020, the age and service requirements for full-service retirement benefits for most divisions is increased to age 64 with a minimum of 30 years of service credit, or for state troopers age 55 with a minimum of 25 years of service credit or any age with a minimum of 35 years of service credit. For PERA members who begin employment on or after January 1, 2020, a reduced service retirement benefit increase to 55 years with a minimum of 25 years of service credit; except that, for state troopers, the requirements are increased to 55 years with a minimum of 20 years of service credit.
- *DEFINITION OF SALARY*: For PERA members hired on or after July 1, 2019, amounts deducted from pay pursuant to a cafeteria plan or a qualified transportation plan are included in the definition of salary. For all PERA members, unused sick leave converted to cash payments is included in the definition of salary and insurance premiums paid by employers are not included in the definition of salary.
- *DEFINITION OF STATE TROOPER*: The definition of state trooper is expanded to include a county sheriff, undersheriff, deputy sheriff, noncertified deputy sheriff, or detention officer hired by a local government division employer, and a corrections officer classified as I through IV hired by a state division employer, on or after January 1, 2020.
- *SENSITIVITY ANALYSIS*: The PERA Board is required to perform an annual sensitivity analysis to determine when model assumptions are meeting targets and achieving sustainability. The Board is required to deliver an annual report detailing the findings of the analysis to the Office of the Governor, the Joint Budget Committee, the Legislative Audit Committee, and the Finance Committees of the Senate and the House of Representatives.
- *TERMINATION OF AFFILIATION*: An employer in the Local Government Division that ceases operations or ceases to participate in PERA for any reason is deemed to have terminated its affiliation with PERA. Any such employer is required to fully fund its share of the unfunded liability of the defined benefit plan and its share of the unfunded liability of the Health Care Trust Fund. Such members may elect to have their member contributions credited to an alternative pension plan or refunded. In the absence of such election, the member contributions will remain with PERA.

Changes to the defined contribution plan include the following:

- *ELIGIBILITY TO PARTICIPATE IN DEFINED CONTRIBUTION PLAN*: Beginning January 1, 2019, the defined contribution plan is expanded to include members of the Local Government Division and State Division members in the state personnel system employed by a state college or university. A new member's participant account will receive the same employer contribution as received by current members of the defined contribution plan.
- *DEFINED CONTRIBUTION SUPPLEMENT*: Beginning January 1, 2021, employer contribution rates will be adjusted to include a defined contribution supplement. The defined contribution supplement for each division will be the employer contribution amount paid to defined contribution plan participant accounts that would have otherwise gone to the defined benefit trusts to pay down the unfunded liability, plus any defined benefit investment earnings thereon, expressed as a percentage of salary on which employer contributions have been made. The

employer contribution amounts only include contributions made on behalf of eligible employees who commence employment on or after January 1, 2019.

In addition to the changes to the defined benefit and defined contribution plans administered by PERA, the Police Officers' and Firefighters' Pension Reform Commission is changed to the Pension Review Commission. The number of legislators on the Commission and the manner in which they are appointed is modified beginning in January 2019, and the Commission has oversight over both the Fire and Police Pension Association and PERA. A subcommittee of the Pension Review Commission consisting of legislative and non-legislative members is also created to study specified issues and to make recommendations to the commission.

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#### **S.B. 17-267 SUSTAINABILITY OF RURAL COLORADO**

Contains provisions affecting several areas of state government. The transportation-related provisions require the state to execute lease-purchase agreements for state buildings for up to \$500 million per year for the four fiscal years 2018-19 through 2021-22 (up to \$2 billion in total). These agreements generate funding for transportation and capital construction projects.

- The first \$120 million in proceeds from the first offering must be used for controlled maintenance and capital construction projects and the remaining proceeds for tier 1 transportation projects.
  - Of the transportation money, 25 percent must be expended for projects in rural counties and 10 percent must be expended for transit.
  - The maximum term of the lease-purchase agreements is 20 years and the maximum total annual payment is \$150 million.
  - Of the annual payment the first \$9 million is from the General Fund (or other legal sources designated by the General Assembly), the next \$50 million is from funds under the control of the Transportation Commission, and the remaining \$91 million is from the General Fund (or other legal sources designated by the General Assembly).
  - Eliminates transfers required by S.B. 17-262 from the General Fund to the Highway Users Tax Fund of \$160 million that were scheduled to occur on June 30, 2019 and June 30, 2020.
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#### **H.B. 15-1344 FUND NATIONAL WESTERN CENTER & CAPITAL CONSTRUCTION PROJECTS**

Repurposes starting in FY 2019-20 the annual expenditure for lease payments for certificates of participation (COPs) issued to finance the construction of the Centennial Correctional Facility expansion project. Effective July 1, 2019, authorizes the State Treasurer to enter into one or more lease-purchase agreements on behalf of Colorado State University (CSU) for a period of up to 20 years to construct facilities at the National Western Center and the CSU main campus. Creates two funds consisting of transfers from the General Fund:

- the National Western Center Trust Fund to make annual lease-purchase payments; and
- the Capitol Complex Master Plan (CCMP) Implementation Fund to fund projects included in the CCMP, subject to the standard capital project review and approval process.

Beginning in FY 2019-20, authorizes an annual General Fund transfer of up to \$20 million to the National Western Center Trust Fund to make annual lease-purchase payments for the term of the COPs. Beginning in FY 2019-20, also authorizes a General Fund transfer to the CCMP Implementation Fund and a potential transfer to the Controlled Maintenance Trust Fund (CMTF). If COPs have been issued on behalf of CSU projects, the amount transferred to the CCMP Implementation Fund will represent the difference between \$20 million and the annual lease purchase payment. However, if no COPs have been issued, the bill authorizes a \$10 million General Fund transfer to the CCMP Implementation Fund and \$10 million General Fund transfer to the CMTF each year until a

lease-purchase payment is due. Limits the total amount transferred to the CCMP Implementation Fund to \$80 million.



# B. GLOSSARY OF TERMS

## **APPROPRIATION**

An appropriation is legal authority for a department to expend a specified sum of money for a specified purpose. A state department may only expend money from the State treasury if the agency has a legislative appropriation for such purpose or if the expenditure is otherwise authorized by law. Most appropriations for government operations are for a single state fiscal year. However, appropriations for capital construction projects generally remain available until completion of the project for up to three years.

## **CAPITAL CONSTRUCTION FUND**

The Capital Construction Fund is a fund that receives transfers from the General Fund or other funds for capital construction projects. Money in this fund is appropriated to: construct, repair, and renovate state facilities; purchase major equipment; and acquire land. Appropriations from this fund are exempt from the fiscal year spending limit imposed by Section 20 of Article X of the State Constitution (also known as the Taxpayer's Bill of Rights or TABOR), because they authorize expenditures from a reserve.

## **CARE SUBFUND IN THE GENERAL FUND**

Federal H.R. 748, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, created the \$150.0 billion Coronavirus Relief Fund, which was allocated to states, tribal governments, territories, and local governments to address costs directly related to the novel coronavirus, COVID-19. Colorado's state government received a total allocation of \$1,673,849,579 from the Coronavirus Relief Fund, and of this amount, \$70,000,000 was transferred to the General Fund through Executive Order D 2020 070 and placed in the CARE subfund for appropriation by the General Assembly.

Federal law requires that this funding is to be used to cover those expenditures that:

- 1 are necessary expenditures incurred due to the public health emergency with respect to COVID-19;
- 2 were not accounted for in the budget most recently approved as of the date of enactment of this section for the State or government; and
- 3 were incurred during the period that begins March 1, 2020, and ends on December 30, 2020.

## **CASH FUNDS**

Specific funds created to receive earmarked revenues, such as specific taxes or fees and fines. These funds typically pay for the programs for which the revenues are collected. Examples are the Wildlife Cash Fund and the Colorado Telephone Users with Disabilities Fund.

## **COMMON POLICIES**

Policies adopted by the General Assembly that are applicable to all departments, unless specifically exempted. Examples of common policies are the rates paid by agencies to the Department of Personnel for vehicle leases and Capitol Complex leased space and to the Governor's Office of Information Technology for information technology-related services.

## **C.R.S.**

Colorado Revised Statutes, the compilation of Colorado laws.

## **FEDERAL FUNDS**

Funds from the federal government. Some federal funds are grants for limited purposes, while other federal funds support ongoing programs and may require matching State funds. Examples of programs requiring a State match are Medicaid and highway construction. Federal funds are exempt from the fiscal year spending limit imposed by TABOR and are typically included for informational purposes only.

## **FTE**

Full-time equivalent (FTE) means the budgetary equivalent of one permanent position continuously filled full-time for an entire fiscal year by elected officials or by state employees who are paid for at least 2,080 hours. For example, two employees in two different positions whose combined hours equal 2,080 for a fiscal year equal 1.0 FTE.

## **GENERAL FUND**

A fund that consists of general tax revenues, such as state sales and income tax revenues, as well as any other revenues and money not legally required to be credited to a specific fund. The General Fund is used to pay for a variety of state programs and services. General Fund revenue and expenditures are restricted by both TABOR and a statutory provision that restricts annual state General Fund appropriations to an amount equal to 5.0 percent of Colorado personal income.

## **GENERAL FUND APPROPRIATIONS EXEMPT FROM THE STATUTORY RESTRICTION ON GENERAL FUND APPROPRIATIONS**

The total annual State General Fund appropriation is statutorily restricted to an amount equal to 5.0 percent of Colorado personal income. There are three specific exemptions to the statutory restriction on General Fund appropriations:

- appropriations due to federal law requiring a new program or service or an increase in the level of service for an existing program;
- appropriations due to a state or federal court order requiring a new program or service or an increase in the level of service for an existing program; and
- appropriations funded from an increase in taxes or fees approved by voters.

For more information, see Appendix D and Section 24-75-201.1, C.R.S.

## **GENERAL FUND EXEMPT**

TABOR restricts the amount of General Fund and cash fund revenues that can be collected and spent by the State. Two categories of General Fund revenues are exempt from these provisions: (1) tobacco tax revenues received pursuant to Amendment 35, which contained a voter-approved tax increase that specified that some of the resulting tax revenue be deposited in the General Fund; and (2) General Fund revenues that exceed the TABOR limit but are less than the revenue cap established by Referendum C. The latter source of funds must be deposited in the General Fund Exempt Account and can be appropriated only for health care, education, retirement plans for firefighters and police officers, and strategic transportation projects. For more information, see Appendix D.

## **INFORMATIONAL FUNDS**

The Long Bill and other legislation indicate when an amount is shown for informational purposes with an “(I)” notation. As defined in the Long Bill headnotes, these amounts do not reflect appropriations made by the General Assembly, nor do they limit the expenditure of such money. For more information, see Appendix K.

## **INDIRECT COSTS**

Indirect costs are the centrally-provided overhead or administrative costs associated with the operation of general state government functions and performance of departmental administrative duties. While centrally-provided services that can be discretely costed and billed based on usage can be direct-costed, indirect costs are not able to be discretely costed and billed efficiently. Indirect cost planning or budgeting for apportioning the cost of centrally provided services, such as accounting, budgeting, or human resources, is often calculated proportionally based on FTE, appropriation amount, historical cost, or as a set percentage of actual program cost. Indirect cost recoveries are intended to offset the costs of providing central services for cash-funded and federally-funded programs that otherwise would be supported by the General Fund.

## **LONG BILL**

Colorado's annual general appropriation bill, which provides most of the appropriations for the expenses of the State's executive, legislative, and judicial departments, is called the Long Bill. The annual Long Bill is comprised of at least three sections:

- Section 1 states applicable definitions and general provisions, and designates funds to constitute the State Emergency Reserve required by TABOR [Section 20 (5) of Article X of the State Constitution];
- Section 2 includes appropriations that provide for the payment of agencies' ordinary, ongoing operating expenses; and
- Section 3 includes appropriations related to capital construction projects and certain major information technology projects.

The bill may also include additional sections that amend existing appropriations for the current or prior state fiscal years.

## **OPERATING BUDGET**

This term refers to the sum of appropriations in the Long Bill and other bills that support the ordinary, ongoing operating expenses of executive, legislative, and judicial departments. The operating budget excludes appropriations related to capital construction projects and certain major information technology projects.

## **REAPPROPRIATED FUNDS**

Reappropriated funds are amounts of General Fund, cash funds, or federal funds that are appropriated more than one time in the same fiscal year. For example, General Fund is appropriated to the Department of Education for the purchase of legal services, and the same amount is appropriated to the Department of Law to provide such services. The appropriation to the Department of Law is identified as reappropriated funds with an associated letter note indicating the origin of the funds.

## **REFERENDUM C**

Colorado voters adopted a measure, popularly known as Referendum C, in the general election of 2005. This measure allowed the State to retain all General Fund revenues in excess of the fiscal year spending limit imposed by TABOR from July 1, 2005, through June 30, 2010. For FY 2010-11 and subsequent fiscal years, Referendum C allows the State to retain all revenues that are in excess of the TABOR fiscal year spending limit, but less than the "excess state revenues cap" for that fiscal year. The excess state revenues cap is equal to the highest total state revenues for a fiscal year from FY 2005-06 through FY 2009-10, adjusted for each subsequent fiscal year for inflation, the percentage change in state population, enterprises, and debt service changes. These "excess" revenues must be deposited in the General Fund Exempt Account and appropriated by the General Assembly for the following purposes: (a) health care; (b) education, including capital construction projects related thereto; (c) retirement plans for firefighters and police officers, if the General Assembly determines funding is needed; and (d) strategic transportation projects.

## **SUPPLEMENTAL APPROPRIATION**

Legislation authorizing changes in appropriations for the current fiscal year or a previous fiscal year.

## **TAXPAYER'S BILL OF RIGHTS (TABOR)**

Colorado voters adopted a citizen-initiated amendment to the State Constitution known as the Taxpayer's Bill of Rights or TABOR (Section 20 of Article X) in 1992. The amendment restricts the ability of the State and local governments to collect and spend revenues without voter approval. Under TABOR, a vote of the people is required for the State or local governments to: (a) increase tax rates; (b) increase retained revenues by more than the sum of inflation and the percentage population growth; (c) incur multi-year debt; or (d) weaken other limits on revenue. The amendment requires that collected revenue in excess of the inflation plus population growth limit be refunded in the following fiscal year. In November 2005 voters passed Referendum C, which allows the State to retain certain revenues in excess of the TABOR fiscal year spending limit.

## C. COMMON POLICIES

A number of line item appropriations are determined by general policies (called common policies) that are applied consistently to all departments. For many line items affected by a common policy, amounts are initially appropriated in individual departments and then transferred to another department such as the Department of Personnel, the Governor's Office of Information Technology, or the Department of Law, where they appear a second time as reappropriated funds. A brief explanation for each common policy and the associated line items is provided below. Most of the line item appropriations described below appear in the Executive Director's Office section (or its equivalent) of a department's budget.

### ADMINISTRATIVE LAW JUDGE SERVICES

Funds for Administrative Law Judge (ALJ) services, which are provided by the Department of Personnel, are included for the 14 departments that use these services. The recommended billing is calculated by identifying the budget year's base costs (personal services, operating expenses, and indirect costs) plus the program's share of the Department of Personnel's prior-fiscal-year benefits and common policy costs. These costs are then allocated to departments for the upcoming fiscal year according to the actual percentage of service hours each agency utilized in the prior fiscal year. For FY 2020-21, statewide spending authority for ALJ services totals approximately \$6.3 million, compared to \$6.6 million for FY 2019-20.

### CAPITOL COMPLEX LEASED SPACE

This line item provides funding to pay the Department of Personnel for property management for departments occupying state-owned space in the Capitol Complex, the North Campus facility, the Pierce Street Building, the Grand Junction State Office Building, and Camp George West. This line item generally appears in each department's executive director's office or its equivalent. Each campus has a distinct rental rate per square foot calculated on the pooled expenses of the campus. For FY 2020-21, statewide agency allocations total approximately \$12.5 million compared to \$11.6 million for FY 2019-20.

### COMMUNITY PROVIDER RATES

Community provider rate adjustments are applied to programs and services which, if not provided by contracted provider organizations or county staff, would need to be provided by state staff. For FY 2020-21, the common policy is to decrease by 1.0 percent for a savings of approximately \$64.4 million total funds, including \$25.2 million General Fund.

### HEALTH, LIFE, AND DENTAL

The Long Bill adjusts the State contribution for employee health, life, and dental insurance premiums to match prevailing compensation. The State contribution is set at 80.0 percent of total premium costs for FY 2020-21, consistent with the state contribution rate for FY 2019-20. Statewide base costs for health, life, and dental total \$309.8 million, including \$178.4 million General Fund, in FY 2020-21. This compares to appropriations of \$287.2 million total funds, including \$169.0 million General Fund in FY 2019-20.

***Reduction in Health, Life, and Dental in lieu of a 5.0 percent General Fund personal services base reduction for FY 2020-21:*** The Health, Life, and Dental appropriations provided in the Long Bill include a "reduction in Health, Life, and Dental in lieu of a 5.0 percent General Fund personal services base reduction". As specified in Health, Life, and Dental Long Bill footnotes for each department, it is the intent of the General Assembly that Health, Life, and Dental costs for employees be fully paid within personal services appropriations augmented by allocations from central benefits appropriations. This reduction is intended to provide maximum flexibility to departments to absorb the General Fund reduction across divisions and programs. Additionally, while a personal services base reduction generates a permanent or ongoing reduction in the salary base, this dollar-equivalent reduction generates a one-time reduction for only FY 2020-21 and preserves the existing salary base. The statewide reduction totals \$57.8 million General Fund, including reductions by agency as follows:

REDUCTION IN HLD IN LIEU OF A 5.0 PERCENT GENERAL FUND PERSONAL SERVICES BASE REDUCTION FOR FY 2020-21	
	GENERAL FUND
Agriculture	(\$345,284)
Corrections	(19,465,170)
Education	(863,216)
Governor's Office	(474,944)
Health Care Policy and Financing	(891,256)
Higher Education - Admin & History Colorado	(54,884)
Human Services	(10,956,710)
Judicial	(15,286,410)
Labor and Employment	(276,218)
Law	(714,506)
Legislature	(1,132,470)
Local affairs	(235,018)
Military and Veterans Affairs	(200,106)
Natural Resources	(1,035,518)
Personnel	(587,350)
Public Health and Environment	(1,027,334)
Public Safety	(2,064,868)
Regulatory Agencies	(74,526)
Revenue	(2,032,254)
State	0
Transportation	0
Treasury	(77,812)
<b>TOTAL</b>	<b>(\$57,795,854)</b>

Including the reduction, statewide health, life, and dental appropriations total \$252.0 million total funds, including \$120.6 million General Fund, in FY 2020-21.

#### **LEASE PURCHASE**

The Long Bill continues annual appropriations for existing lease purchase agreements. Requests for additional lease purchase funds are examined on an individual department basis and funded where appropriate. A department may only spend funds for a lease purchase if money is specifically appropriated for that purpose.

#### **LEASED SPACE**

This line item provides funding for the payment of leased space expenses including rent, associated facility operating costs, and leased space contract escalators for properties not owned by the State.

#### **LEGAL SERVICES**

This line item provides funding to purchase necessary legal services from the Department of Law. For FY 2020-21, agencies will pay an average blended rate of \$102.78 per hour for legal services, which are provided by both attorneys and legal assistants. This compares to a rate of \$106.60 per hour for FY 2019-20. The payments that client agencies make to the Department of Law are sufficient to pay all the direct and indirect costs of supplying the services. The Department of Law expects to provide 418,031 hours of legal services to client agencies in FY 2020-21.

#### **OPERATING EXPENSES AND CAPITAL OUTLAY**

The Long Bill funds operating expenses at a continuation level of funding, with some individual exceptions. The General Assembly has periodically provided inflationary increases for operating expenses related to food, medical, and laboratory services in departments for which these costs are not incidental. The bill does not include inflationary increases for any operating expenses for FY 2020-21.

During the 2020 legislative session, the Joint Budget Committee approved changes to baseline assumptions that are made when developing budget requests that include funding new FTE. The new figures align the assumptions for future budget requests made by state agencies to those made by Legislative Council staff when drafting fiscal notes

for bills. Operating costs for FTE are prorated by each tenth of an FTE, however, no operating costs are provided if the budget request leads to an increase of 0.5 FTE or fewer. On the other hand, capital outlay is assumed to be incurred on an incremental basis and is provided when the number of full-year FTE meets or exceeds 0.6 FTE and is rounded to the nearest whole FTE. The table below illustrates prior assumptions and those approved for future submissions.

STANDARD OPERATING EXPENSES FOR FUTURE BUDGET REQUESTS FOR FTE			
	PRIOR YEAR ASSUMPTIONS	2021 REQUEST ASSUMPTIONS	ONGOING COSTS
<b>Standard Annual Operating Expenses</b>			
Supplies	\$500	\$500	\$500
Telephone	450	450	450
Software	330	400	400
<b>Total Operating (Ongoing) Costs</b>	<b>\$1,280</b>	<b>\$1,350</b>	<b>\$1,350</b>
<b>Standard One-time Capital Outlay</b>			
Computers	\$900	\$1,200	\$0
Cubicle/Workstation	3,473	5,000	0
<b>Total Capital Outlay</b>	<b>\$4,373</b>	<b>\$6,200</b>	<b>\$0</b>

### **PAYMENTS TO OIT**

This line provides funding to pay for information technology services provided by the Governor's Office of Information Technology (OIT). For FY 2020-21, amounts in the Long Bill include recoverable costs of \$179.2 million total funds, including \$82.1 million General Fund, compared to \$179.7 million, including \$81.4 million General Fund for FY 2019-20.

### **PAYMENT TO RISK MANAGEMENT AND PROPERTY FUNDS**

This line item provides funding to pay the department's share of the statewide cost of property and liability insurance coverage, based on a three-year average loss history as verified by an independent actuarial firm. The Department of Personnel has continuous spending authority for the property and liability programs claims, premiums, and legal expenses, but not for administrative costs. For FY 2020-21, the bill's appropriation for the risk management and property program is \$18.8 million total funds, comprised of \$10.6 million for property and \$8.2 million for liability. This compares to \$21.1 million total funds for FY 2019-20, which is comprised of approximately \$12.5 million for property and \$8.6 million for liability.

### **PERSONAL SERVICES**

Personal Services line items provide funding for: employee salaries and wages, the associated state contribution to the Public Employees Retirement Association (PERA), and the employer's share of federal Medicare taxes; professional services; temporary services; and payments for unemployment claims or insurance.

### **PERA PAYMENTS**

#### *PERA STANDARD CONTRIBUTIONS*

The amount necessary to fund the standard contribution from employers of state employees is calculated and included in personal services and program line items that include staff compensation. Senate Bill 18-200 increased the standard contribution from employers by 0.25 percent. Effective July 1, 2019, the standard contribution increased to 10.4 percent of salary for employers of most state employees, 13.1 percent for employers of state troopers, and 13.91 percent for employers in the Judicial Division.

Senate Bill 18-200 also included an automatic increase provision which was triggered for FY 2020-21 that requires an additional 0.5 percent increase in the standard contribution from employers, increasing the standard contribution rate to 10.9 percent for employers of most state employees. For FY 2020-21, the 0.5 percent automatic increase totals

\$12.2 million, including \$7.1 million General Fund. The following table outlines the 0.5 percent automatic increase adjustment included in department budgets:

SB 18-200 ANNUALIZATIONS FOR 0.5 PERCENT EMPLOYER CONTRIBUTION AUTOMATIC INCREASE IN PERSONAL SERVICES LINE ITEMS FOR FY 2020-21					
AGENCY	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	TOTAL FUNDS
Agriculture	\$34,408	\$70,636	\$0	\$0	\$105,044
Corrections	2,833,986	60,373	0	0	2,894,359
Education	80,346	35,143	31,283	98,080	244,852
Governor	4,971	0	510,228	0	515,199
Health Care Policy and Financing	248,084	18,117	5,441	289,645	561,287
Higher Education	5,276	49,030	11,985	615	66,906
Human Services	1,274,871	20,922	422,007	109,994	1,827,794
Judicial	1,740,731	87,999	0	0	1,828,730
Labor and Employment	41,380	183,535	0	216,583	441,498
Law	46,207	33,770	173,065	5,716	258,758
Legislature <sup>1</sup>	149,811	0	0	0	149,811
Local Affairs	23,840	11,216	28,816	16,433	80,305
Military and Veterans Affairs	22,420	872	0	35,247	58,539
Natural Resources	99,281	515,675	19,133	16,032	650,121
Personnel	58,847	7,254	85,646	0	151,747
Public Health and Environment	99,964	263,812	39,011	244,434	647,221
Public Safety	198,587	539,672	68,586	20,773	827,618
Regulatory Agencies	7,191	203,131	13,894	2,340	226,556
Revenue	163,257	333,664	541	4,258	501,720
State	0	55,941	0	0	55,941
Transportation <sup>1</sup>	0	55,374	0	0	55,374
Treasurer	8,890	5,040	0	0	13,930
<b>Total</b>	<b>\$7,142,348</b>	<b>\$2,551,176</b>	<b>\$1,409,636</b>	<b>\$1,060,150</b>	<b>\$12,163,310</b>

<sup>1</sup> Figures for Legislature and Transportation are calculated from estimated base salary.

Although paid by employees through withholding from gross salary, S.B. 18-200 also increased the employee contribution by 2.0 percent over three years for all state employees. For most state employees, the employee contribution increases from 8.0 percent to 8.75 percent in FY 2019-20, to 9.5 percent in FY 2020-21, and to 10.0 percent in FY 2021-22. The automatic increase adjustment in S.B. 18-200, also increases the employee contribution for all state employees by an additional 0.5 percent in FY 2020-21, increasing the employee contribution rate for most state employees to 10.0 percent in FY 2020-21 and to 10.5 percent in FY 2021-22.

#### *S.B. 04-257 AMORTIZATION EQUALIZATION DISBURSEMENT (AED)*

Pursuant to S.B. 04-257, the State contributes additional funds to assist in the amortization PERA's unfunded liability. The appropriation amount is calculated on base salary plus salary increases and shift differential pay. For most employees, the contribution rate is 5.0 percent. For judges, the state contribution remained constant at 2.2 percent until H.B. 17-1265 (*PERA Judicial Division Total Employer Contribution*) enacted increases to 3.4, 3.8, 4.2, 4.6, and 5.0 percent in each succeeding year beginning in calendar year 2019. Long Bill appropriations for FY 2020-21 are estimated to total \$98.4 million total funds, including \$55.1 million General Fund, compared to \$96.8 million total funds, including \$54.0 million General Fund, in FY 2019-20.

#### *S.B. 06-235 SUPPLEMENTAL AMORTIZATION EQUALIZATION DISBURSEMENT (SAED)*

In addition to the AED contribution amounts, S.B. 06-235 provides a supplemental PERA contribution. The intended fund source is money that would otherwise be available for, but has not been awarded as, employee salary increases. While this payment is effectively made by the State, these funds represent foregone employee salary increases that would otherwise appear in the salary base as employee compensation. For most employees, the contribution rate is 5.0 percent. For judges, the state contribution remained constant at 2.2 percent until H.B. 17-1265 (*PERA Judicial Division Total Employer Contribution*) enacted increases to 3.4, 3.8, 4.2, 4.6, and 5.0 percent in each succeeding year beginning in calendar year 2019. Long Bill appropriations for FY 2020-21 are estimated to total \$98.4 million total

funds, including \$55.1 million General Fund, compared to \$96.6 million total funds, including \$53.8 million General Fund, in FY 2019-20.

#### *PERA DIRECT DISTRIBUTION*

The PERA Direct Distribution was added as a common policy allocation in the 2019 Long Bill pursuant to Section 24-51-414 (2), C.R.S. A new line item in each department provides an appropriation of General Fund, cash funds, reappropriated funds, and federal funds based on a billing allocation (proportional to AED and SAED allocations) for the State's share of the \$225.0 million annual PERA Direct Distribution payment required by Section 24-51-414 (1), C.R.S.

For FY 2020-21, the State's share is calculated to be \$54.1 million of the \$225.0 million annual PERA Direct Distribution payment required by Section 24-51-414, C.R.S. This compares to \$56.5 million in FY 2019-20. The PERA Direct Distribution appropriations to all departments total \$54.1 million, comprised of \$30.6 million General Fund, \$16.3 million cash funds, \$6.0 million reappropriated funds, and \$1.1 million federal funds. Due to an inability to collect from federal funds sources consistently, most federal funds are backfilled with General Fund, with the intention that the backfill amount will be collected through the State Controller's indirect cost process.

The 2020 Long Bill includes a corresponding informational appropriation of \$225.0 million to the Department of the Treasury, which includes \$54.1 million reappropriated funds collected from departments for the State and Judicial PERA divisions, and a direct appropriation of \$170.9 million General Fund for the School and Denver Public Schools PERA divisions.

House Bill 20-1379 suspends the \$225.0 million direct distribution payment from the State Treasurer to PERA for FY 2020-21, eliminating the payment as a budget balancing action and bill, including appropriation adjustments as follows:

- Decreases the informational appropriation in the Department of the Treasury by \$225.0 million total funds, including \$170.9 million General Fund and \$54.1 million reappropriated funds.
- Decreases state agency PERA Direct Distribution common policy appropriations totaling \$48.9 million, including \$30.6 million General Fund, \$11.1 million cash funds, \$6.0 million reappropriated funds, and \$1.1 million federal funds. The common policy allocation of \$5.2 million cash funds to the Department of Transportation is not appropriated in the Long Bill and is therefore excluded from adjustments included in the appropriation.

For additional information, including adjustments by department, see *Appendix A, Recent Legislation*.

#### **SALARY SURVEY AND MERIT PAY AWARDS**

There is no salary survey or merit pay component for FY 2020-21. This compares to the \$70.6 million total funds, including \$40.3 million General Fund, for a 3.0 percent across-the-board increase and some merit pay components in the Judicial Department and the Department of Law in FY 2019-20.

#### **SHIFT DIFFERENTIAL**

Shift differential payments provide higher wages for evening, night, and weekend shifts. Long Bill appropriations for FY 2020-21 total \$18.1 million, including \$14.2 million General Fund primarily for the Departments of Corrections and Human Services, compared to \$16.9 million, including \$13.0 million General Fund, in FY 2019-20. Shift differential is set at 100.0 percent of prior year's (FY 2018-19) actual expenditures.

#### **SHORT-TERM DISABILITY**

All state employees are eligible for employer-paid, short-term disability insurance. Long Bill appropriations are calculated based on 0.17 percent of base salary, plus salary increases and shift differential pay for FY 2020-21 consistent with the rate for FY 2019-20. Statewide short-term disability appropriations for FY 2020-21 total \$3.2 million, including \$1.7 million General Fund, which compares to \$3.1 million, including \$1.6 million General Fund, in FY 2019-20.



## **STATEWIDE INDIRECT COSTS**

Indirect costs are the overhead costs associated with the operation of general government functions and departmental administrative duties. Indirect cost recoveries are intended to offset the costs of providing central services for cash-funded and federally-funded programs that would otherwise be supported by General Fund. In practice, each cash-funded or federal funded program in a department is charged a proportional indirect cost assessment that includes statewide and departmental indirect costs. These indirect cost recoveries are used to offset General Fund appropriations in the department's executive director's office. For FY 2020-21, the statewide indirect cost recovery plan is estimated to recover \$18.3 million in comparison to \$17.7 million for FY 2019-20.

## **VEHICLE LEASE PAYMENTS**

Pursuant to Section 24-30-1117, C.R.S., state agency motor vehicles may only be purchased through the Fleet Management Program in the Department of Personnel. Long Bill appropriations are based on the amount necessary for each department's vehicle lease payments, which vary according to vehicle model, type, and build costs for special features. For FY 2020-21, the bill includes funding to replace 607 vehicles, including up to 190 hybrid vehicles, 127 electric vehicles, 3 CNG equipped vehicles, and 287 conventional combustion engine vehicles. The FY 2019-20 Long Bill replaced 493 vehicles, including up to 270 alternative fuel or hybrid vehicles. Statewide the appropriations to state agency Vehicle Lease Payments line items for FY 2020-21 are \$20.3 million total funds in comparison to \$20.5 million total funds for FY 2019-20. The appropriation for the Department of Personnel's Fleet Management Vehicle Replacement Lease/Purchase line item for FY 2020-21 is \$23.3 million reappropriated funds, in comparison to \$22.0 million reappropriated funds for FY 2019-20.

## **WORKERS' COMPENSATION**

This line item provides funding for each department's share of the statewide cost of workers' compensation coverage, based on a three-year average loss history as verified by an independent actuarial firm. The State is self-insured and provides coverage for employees in all departments (except for institutions of higher education, which operate separate self-insured programs). For FY 2020-21, the Long Bill appropriation for the workers' compensation program totals \$38.4 million total funds, in comparison to \$40.0 million total funds for FY 2019-20.

# D. GENERAL FUND APPROPRIATIONS EXEMPT FROM CONSTITUTIONAL OR STATUTORY RESTRICTIONS OR APPROPRIATED FROM THE CARE SUBFUND

This appendix provides information concerning General Fund amounts that are described or categorized as "exempt" in this document or that are appropriated from the CARE subfund in the General Fund.

## 1. APPROPRIATIONS EXEMPT FROM THE CONSTITUTIONAL RESTRICTION

Items that appear in the "General Fund Exempt" column are exempt from the state fiscal year spending limit in Section 20 of Article X of the State Constitution (the Taxpayer's Bill of Rights or TABOR). There are currently two types of appropriations that are categorized as General Fund Exempt:

- **Appropriations from the General Fund Exempt Account:** Referendum C, which was referred to and passed by voters in November 2005, authorizes the State to retain and spend state revenues in excess of the TABOR state fiscal year spending limit, but less than the excess state revenues cap. This measure also established the General Fund Exempt Account, which consists of the amount of state revenues in excess of the TABOR state fiscal year spending limit that would have been refunded had Referendum C not passed. Money in the General Fund Exempt Account may only be appropriated or transferred for four purposes: health care; education; retirement plans for firefighters and police officers; and strategic transportation projects. For more information about Referendum C, see the section concerning Statutory and Constitutional Restrictions in Part I-A.
- **Appropriations from Tobacco Tax Revenues:** Amendment 35, which was approved by voters in November 2004, imposed new cigarette and tobacco taxes through the addition of Section 21 in Article X of the State Constitution. The new tobacco tax revenues authorized by Amendment 35 are exempt from the TABOR state fiscal year spending limit, and General Fund appropriations from these revenues are also exempt from the statutory restriction on General Fund appropriations (this exemption is discussed later in this section). Amendment 35 requires that a portion of the new tobacco tax revenues be appropriated to the General Fund and made available to the Department of Public Health and Environment for immunization services and to the Department of Health Care Policy and Financing for the Children's Basic Health Plan. For more information about Amendment 35, see Appendix H.

The following table details General Fund Exempt appropriations and transfers for FY 2019-20 and FY 2020-21.

GENERAL FUND APPROPRIATIONS EXEMPT FROM CONSTITUTIONAL RESTRICTIONS			
DEPARTMENT	FY 2019-20	FY 2020-21	EXPLANATION
APPROPRIATIONS FROM THE GENERAL FUND EXEMPT ACCOUNT (REFERENDUM C):			
Education	\$523,323,333	\$84,491,394	Appropriations for preschool through twelfth grade education pursuant to Sections 24-77-103.6 (2)(b) and 24-77-104.5 (3), C.R.S.
Health Care Policy and Financing	523,323,333	84,491,394	Appropriations for health care funding for Colorado's elderly, low-income, and disabled populations pursuant to Sections 24-77-103.6 (2)(a) and 24-77-104.5 (2), C.R.S.
Higher Education	463,245,833	24,413,894	Appropriations for higher education pursuant to Sections 24-77-103.6 (2)(b) and 24-77-104.5 (4), C.R.S.

GENERAL FUND APPROPRIATIONS EXEMPT FROM CONSTITUTIONAL RESTRICTIONS			
DEPARTMENT	FY 2019-20	FY 2020-21	EXPLANATION
Local Affairs	4,345,000	4,345,000	Appropriations for volunteer firefighter retirement plans and death and disability insurance, pursuant to Section 24-77-103.6 (2)(c), C.R.S.
Transportation	500,000	500,000	General Fund transfer to the Capital Construction Fund for strategic transportation projects pursuant to Section 24-77-103.6 (2)(d), C.R.S.
SUBTOTAL	\$1,514,737,499	\$198,241,682	
APPROPRIATIONS FROM TOBACCO TAX REVENUES (AMENDMENT 35):			
Health Care Policy and Financing	\$391,683	\$387,132	Appropriations for the Children's Basic Health Plan pursuant to Section 24-22-117 (1)(c)(I)(B.5), C.R.S.
Public Health and Environment	407,703	387,756	Appropriations for immunizations performed by county or district public health agencies pursuant to Section 24-22-117 (1)(c)(I)(B.5), C.R.S.
SUBTOTAL	\$799,386	\$774,888	
<b>TOTAL</b>	<b>\$1,515,536,885</b>	<b>\$199,016,570</b>	

## 2. APPROPRIATIONS EXEMPT FROM THE STATUTORY RESTRICTION

From FY 1991-92 through FY 2008-09, Section 24-75-201.1, C.R.S., restricted annual state General Fund appropriations to the lesser of: (1) an amount equal to 5.0 percent of Colorado personal income, or (2) 6.0 percent over the total General Fund appropriations for the previous fiscal year. During this time period, the lesser amount was 6.0 percent over the previous year's General Fund appropriations, so this restriction was commonly called the "6.0 percent limit". Senate Bill 09-228 amended Section 24-75-201.1, C.R.S., to simply restrict annual state General Fund appropriations to an amount equal to 5.0 percent of Colorado personal income. Therefore, beginning in FY 2009-10, the 6.0 percent limit is no longer applicable.

Section 24-75-201.1 (1)(a)(III), C.R.S., specifies that the statutory restriction on General Fund appropriations shall not apply to:

- A. Any General Fund appropriation which, as a result of any requirement of *federal law*, is made for any new program or service or for any increase in the level of service for an existing program beyond the existing level of service;
- B. Any General Fund appropriation which, as a result of any requirement of a final state or federal *court order*, is made for any new program or service or for any increase in the level of service for an existing program beyond the existing level of service; or
- C. Any General Fund appropriation of any revenue derived from any increase in the rate or amount of any *tax or fee* which is approved by a majority of the registered electors of the state voting at any general election.

In addition, some other General Fund transfers and appropriations are not subject to the statutory restriction for reasons other than the exceptions listed above. For example, pursuant to Section 24-75-302 (2), C.R.S., General Fund transfers to the Capital Construction Fund are not subject to the statutory restriction; and the General Fund appropriation related to the senior citizen and disabled veteran property tax exemption is not subject to the statutory restriction because the enactment of Section 3.5 (3) of Article X of the Colorado Constitution constitutes voter approval of a weakening of the restriction. These other exceptions are noted in the relevant department sections of this report.

The following table lists the General Fund appropriations that are exempt from or are not subject to the statutory restriction on General Fund appropriations for FY 2019-20 and FY 2020-21. These amounts are organized into three sections, which are described following the table.

GENERAL FUND APPROPRIATIONS DEEMED EXEMPT FROM STATUTORY RESTRICTIONS			
	DEPARTMENT	AMOUNT	REASON
<b>FY 2019-20</b>			
SECTION 1 - REBATES AND EXPENDITURES			
Children's Basic Health Plan (Amendment 35) <sup>1</sup>	Health Care Policy and Financing	\$391,683	Voter Approved
Volunteer Firefighter Benefit Plans <sup>1</sup>	Local Affairs	4,375,000	Other
Immunizations (Amendment 35) <sup>1</sup>	Public Health and Environment	407,703	Voter Approved
Cigarette Tax Rebate <sup>1</sup>	Revenue	9,633,839	Other
Old Age Heat and Fuel and Property Tax Assistance Grant <sup>1</sup>	Revenue	6,000,719	Other
Retail Marijuana Sales Tax Distribution <sup>1</sup>	Revenue	21,637,908	Other
SUBTOTAL: REBATES AND EXPENDITURES		\$42,446,852	
SECTION 2 - HOMESTEAD EXEMPTION			
Senior Citizen and Disabled Veteran Property Tax Exemption <sup>1</sup>	Treasury	\$140,789,518	Voter Approved
SECTION 3 - AMOUNTS DEEMED EXEMPT			
Total Amounts Deemed Exempt		\$0	
<b>FY 2019-20 TOTAL</b>		<b>\$183,236,370</b>	
<b>FY 2020-21</b>			
SECTION 1 - REBATES AND EXPENDITURES			
Children's Basic Health Plan (Amendment 35) <sup>2</sup>	Health Care Policy and Financing	\$387,132	Voter Approved
Volunteer Firefighter Benefit Plans <sup>2</sup>	Local Affairs	4,375,000	Other
Immunizations (Amendment 35) <sup>2</sup>	Public Health and Environment	387,756	Voter Approved
Cigarette Tax Rebate <sup>2</sup>	Revenue	7,363,055	Other
Old Age Heat and Fuel and Property Tax Assistance Grant <sup>2</sup>	Revenue	5,624,000	Other
Retail Marijuana Sales Tax Distribution <sup>2</sup>	Revenue	20,813,067	Other
SUBTOTAL: REBATES AND EXPENDITURES		\$38,950,010	
SECTION 2 - HOMESTEAD EXEMPTION			
Senior Citizen and Disabled Veteran Property Tax Exemption <sup>2</sup>	Treasury	\$163,663,420	Voter Approved
SECTION 3 - AMOUNTS DEEMED EXEMPT			
Total Amounts Deemed Exempt		\$0	
<b>FY 2020-21 TOTAL</b>		<b>\$202,613,430</b>	

<sup>1</sup> These amounts are included in S.B. 19-207 (the 2019 Long Bill) and H.B. 19-1085 (Grants for Property Tax Rent and Heat), and H.B. 20-1360.

<sup>2</sup> These amounts are included in H.B. 20-1360 (the 2020 Long Bill).

## SECTION 1 – REBATES AND EXPENDITURES

The quarterly revenue forecasts prepared by the Legislative Council Staff and the Office of State Planning and Budgeting include dollar amounts referred to as "rebates and expenditures." These amounts reflect various expenditures or diversions of funds from the General Fund, which are exempt from or are not subject to the statutory restriction on General Fund appropriations pursuant to statutory or constitutional provisions. These statutory and constitutional obligations are listed below. Please note that some of these items are not reflected in General Fund

appropriations, and the amounts that are reflected in General Fund appropriations are not routinely adjusted to reflect changes in the quarterly revenue forecasts. For purposes of developing and adjusting the overall General Fund budget, the most recent projected amounts are utilized rather than the appropriated amounts. The above table reflects the actual appropriations for rebates and expenditures.

*Items that are included in annual General Fund appropriations include:*

- fire and police pension payments for local governments [Section 31-30-1112 (2), C.R.S.];
- cigarette tax rebates to local governments [Section 39-22-623 (1)(a)(II)(A), C.R.S.];
- retail marijuana sales tax distributions to local governments [Section 39-28.8-203 (1)(a), C.R.S.];
- Old Age Heat and Fuel and Property Tax Assistance Grants [Section 39-31-102 (1), C.R.S.]; and
- General Fund appropriations related to certain tobacco tax revenues [Section 21 of Article X of the State Constitution, often referred to as "Amendment 35"].

*Items that are not included in annual General Fund appropriations include:*

- sales and use taxes that are credited to the Old Age Pension Fund [Article XXIV of the State Constitution and Section 39-26-123 (3), C.R.S.];
- sales and use taxes that are credited to the Older Coloradans Cash Fund [Section 39-26-123 (3)(a), C.R.S.]; and
- earnings related to cash flow loans to school districts [Sections 22-54-110 and 29-15-112, C.R.S.].

## SECTION 2 – SENIOR CITIZEN AND DISABLED VETERAN PROPERTY TAX HOMESTEAD EXEMPTION

In the 2000 general election, Colorado voters approved a constitutional amendment (Section 3.5 of Article X) that reduces property taxes for qualifying senior citizens and disabled veterans. The property tax reduction, or "homestead exemption," is available to senior citizens 65 years of age or older who have owned and lived in their homes for at least ten years. In the 2006 general election, Colorado voters approved a constitutional amendment extending the homestead exemption to honorably discharged veterans who are 100 percent disabled as a result of a service-connected disability. The cost of the exemption is borne by the State rather than by local governments or other property owners.

## SECTION 3 – AMOUNTS DEEMED EXEMPT

These amounts are appropriated for purposes that are exempt from the statutory restriction on General Fund appropriations as reflected in Section 24-75-201.1, C.R.S. For FY 2019-20 and FY 2020-21, no General Fund is deemed exempt.

# 3. CARE SUBFUND IN THE GENERAL FUND

Federal H.R. 748, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, created the \$150.0 billion Coronavirus Relief Fund, which was allocated to states, tribal governments, territories, and local governments to address costs directly related to the novel coronavirus, COVID-19. Colorado's state government received a total allocation of \$1,673,849,579 from the Coronavirus Relief Fund, and of this amount, \$70,000,000 was transferred to the General Fund through Executive Order D 2020 070 and placed in the CARE subfund for appropriation by the General Assembly. The General Assembly codified the use of the CARE subfund in the General Fund through H.B. 20-1417 (CARE subfund in the General Fund). The table below shows the amounts appropriated and transferred from the CARE subfund in the General Fund for FY 2019-20 and FY 2020-21 through legislation enacted in the 2020 legislative session.

Federal law requires that this funding be used to cover those expenditures that:

- 1 are necessary expenditures incurred due to the public health emergency with respect to COVID-19;

- 2 were not accounted for in the budget most recently approved as of the date of enactment of this section for the State or government; and
- 3 were incurred during the period that begins March 1, 2020, and ends on December 30, 2020.

The bills enacted by the General Assembly that appropriate or transfer money from the CARE subfund in the General Fund require that the funds be used in a manner consistent with these federal requirements. Appropriations for both FY 2019-20 and FY 2020-21 are available through December 30, 2020.

APPROPRIATIONS AND TRANSFERS FROM THE CARE SUBFUND IN THE GENERAL FUND					
DEPARTMENT	PROGRAM	FY 2019-20 <sup>1</sup>	FY 2020-21 <sup>1</sup>	BILL	BILL SHORT TITLE
Governor	Office of Economic Development, small business grants	\$20,000,000	\$0	SB 20-222	Use CARES Act Money Small Business Grant
Governor	Low Income Energy Assistance Fund <sup>2</sup>	4,800,000	0	HB 20-1412	COVID-19 Utility Bill
Health Care Policy & Financing	Telemedicine expansion services	0	5,068,381	SB 20-212	Payment-related Assistance Reimbursement for Telehealth Services
Higher Education	University of Colorado Center for Research into Substance Use Disorder Prevention, Treatment, and Recovery Support Strategies for health professional education, grant writing assistance, and supplies for the Medication Assisted Treatment Program	600,000	0	HB 20-1411	COVID-19 Funds Allocation for Behavioral Health
Human Services	Domestic abuse programs	0	500,000	HB 20-1360	Long Bill
Human Services	Managed service organizations for substance use disorder treatment and recovery services	3,530,000	0	HB 20-1411	COVID-19 Funds Allocation for Behavioral Health
Human Services	Community mental health centers	3,250,000	0	HB 20-1411	COVID-19 Funds Allocation for Behavioral Health
Human Services	Substance use screening, brief intervention, referral, training, and supports	500,000	0	HB 20-1411	COVID-19 Funds Allocation for Behavioral Health
Human Services	School-based mental health services provided by community mental health centers	2,000,000	0	HB 20-1411	COVID-19 Funds Allocation for Behavioral Health
Human Services	Co-responder programs, crisis system services, housing assistance, and treatment for rural communities	3,800,000	0	HB 20-1411	COVID-19 Funds Allocation for Behavioral Health
Human Services	2-1-1 referral services	500,000	0	HB 20-1197	2-1-1 Statewide Human Services Referral System
Human Services	Food Pantry Assistance Grant Program	500,000	0	HB 20-1422	Food Pantry Assistance Grant Program
Judicial	Eviction legal defense <sup>2</sup>	350,000	0	HB 20-1410	COVID-19-related Housing Assistance
Law	Safe2Tell Program	120,000	0	HB 20-1411	COVID-19 Funds Allocation for Behavioral Health
Local Affairs	Housing Development Grant Fund <sup>2</sup>	19,650,000	0	HB 20-1410	COVID-19-related Housing Assistance
Public Health & Environment	Distribution to local public health agencies	0	1,500,000	HB 20-1360	Long Bill
Public Health & Environment	Immunization operating expenses	0	2,000,000	HB 20-1360	Long Bill
Public Health & Environment	Mental health first aid training	250,000	0	HB 20-1411	COVID-19 Funds Allocation for Behavioral Health
Public Health & Environment	Opiate antagonist bulk purchase fund and school-based health centers	1,150,000	0	HB 20-1411	COVID-19 Funds Allocation for Behavioral Health
<b>TOTAL by year</b>		<b>\$61,000,000</b>	<b>\$9,068,381</b>		
<b>GRAND TOTAL (two years)</b>			<b>\$70,068,381</b>		

<sup>1</sup> All funds appropriated and transferred are made available through December 30, 2020, except that funds transferred in H.B. 20-1412 for energy assistance are available for this purpose through December 4, 2020.

<sup>2</sup> These amounts are statutory transfers; all other amounts are appropriations.

# E. STATE EDUCATION FUND OVERVIEW

This appendix describes appropriations and transfers from the State Education Fund.

## STATE EDUCATION FUND REVENUES AND APPROPRIATIONS

In November 2000, Colorado voters approved Amendment 23, which added Section 17 to Article IX of the State Constitution. This provision links funding for kindergarten through twelfth grade education to the rate of inflation. This provision also creates the State Education Fund (SEF), consisting of all state revenues collected from a tax equal to one-third of 1.0 percent on federal taxable income of every individual, estate, trust, and corporation<sup>1</sup>, as well as any interest earned on the fund balance. Revenues to the SEF are not subject to the constitutional Taxpayer's Bill of Rights (TABOR) limitation on fiscal year spending, and SEF appropriations are not subject to the statutory limitation on state General Fund appropriations. The General Assembly may annually appropriate money from the SEF for the following education-related purposes:

- Compliance with the requirement to annually increase base per pupil funding for public school finance;
- Compliance with the requirement to annually increase funding for categorical programs;
- Accountable education reform;
- Class size reduction;
- Expanding technology education;
- Improving student safety;
- Expanding the availability of preschool and kindergarten programs;
- Performance incentives for teachers;
- Accountability reporting; or
- Public school building capital construction.

Table 1, on the next page, summarizes appropriations and transfers from the SEF for FY 2001-02 through FY 2018-19 and details appropriations and transfers from the SEF for FY 2019-20 and FY 2020-21. To date, the General Assembly has appropriated over \$7.3 billion from the SEF specifically for the State share of districts' total program funding (distributed based on the school finance formula), representing 68.0 percent of all SEF appropriations. Appropriations for categorical programs (\$1.8 billion) comprise another 17.0 percent of SEF appropriations.

Appropriations and transfers from the SEF increased from \$740.4 million in FY 2013-14 to \$966.2 million in FY 2014-15 and \$943.7 million in FY 2015-16, largely as a result of \$1.1 billion in one-time funding transferred from the General Fund to the SEF pursuant to H.B. 12-1338 (Transfer of General Fund Surplus to State Education Fund). However, the one-time funds were depleted by the end of FY 2016-17. Based on estimates of available resources, the FY 2020-21 appropriation includes a total of \$627.9 million in appropriations and transfers from the SEF (including \$0.9 million in appropriations for centrally appropriated line items not reflected in Table 1), with a projected balance of \$213.2 million at the end of FY 2020-21.

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<sup>1</sup> Given the current state income tax rate of 4.63 percent, this equates to 7.13 percent of state income tax revenues (0.0033/0.0463). However, due to certain state tax credits that reduce income tax revenue, deposits to the State Education Fund actually represent a slightly higher percentage of state income tax revenues (e.g., 7.56 percent in FY 2018-19).

TABLE 1: HISTORY OF APPROPRIATIONS FROM THE STATE EDUCATION FUND

DESCRIPTION	CUMULATIVE FY 2001-02 THRU FY 2018-19	FY 2019-20	FY 2020-21
<b>PUBLIC SCHOOL FINANCE</b>			
Funding for the State Share of Districts' Total Program Funding (including Colorado Preschool Program and full-day kindergarten funding)	\$6,654,499,354	\$393,550,471	\$297,944,140
Facility school funding (HB 08-1388)	179,721,730	16,241,061	17,024,650
Hold-harmless full-day kindergarten funding (HB 08-1388)	83,346,662	0	0
District per pupil reimbursements for juveniles held in jail (SB 10-054)	205,000	10,000	10,000
Public school finance administration	458,013	86,621	87,494
Additional funding for rural school districts and institute charter schools	40,000,000	0	0
Declining enrollment study (HB 08-1388)	200,000	0	0
Mid-year appropriation adjustments	(484,379)	13,143,861	0
<b>SUBTOTAL: SCHOOL FINANCE</b>	<b>\$6,957,946,380</b>	<b>\$423,032,014</b>	<b>\$315,066,284</b>
<i>Percent of Total</i>	<i>73.6%</i>	<i>58.3%</i>	<i>50.3%</i>
<b>CATEGORICAL PROGRAMS</b>			
	<b>\$1,482,901,081</b>	<b>\$174,284,946</b>	<b>\$180,707,904</b>
<i>Percent of Total</i>	<i>15.7%</i>	<i>24.0%</i>	<i>28.8%</i>
<b>SCHOOL CAPITAL CONSTRUCTION</b>			
Charter school capital construction	\$168,719,995	\$20,656,559	\$22,430,131
School capital construction expenditures reserve	25,471,112	0	0
School construction and renovation fund	7,500,000	0	0
Charter school debt reserve fund	7,500,000	0	0
<b>SUBTOTAL: CAPITAL CONSTRUCTION</b>	<b>\$209,191,107</b>	<b>\$20,656,559</b>	<b>\$22,430,131</b>
<i>Percent of Total</i>	<i>2.2%</i>	<i>2.8%</i>	<i>3.6%</i>
<b>PROFESSIONAL DEVELOPMENT AND INSTRUCTIONAL SUPPORT</b>			
English language learners professional development and student support (HB 14-1298)	\$135,000,000	\$27,000,000	\$27,000,000
Quality teacher recruitment program (SB 13-260)	18,000,000	40,000	0
School turnaround leaders development (SB 14-124)	10,003,882	2,003,138	2,004,774
Stipends for nationally board certified teachers (HB 08-1384)	9,536,000	2,103,256	0
Content specialists	5,307,962	531,001	545,861
English language proficiency excellence award program (HB 14-1298)	2,500,000	500,000	0
Computer science education grants for teachers (SB 17-296)	1,548,375	1,048,600	551,657
A.P. Incentives pilot program (HB 14-1118)	1,304,879	261,666	0
Transfer to Department of Higher Education for rural teacher recruitment, retention, and professional development (SB 18-085)	240,000	240,000	0
English language learners technical assistance (HB 14-1298)	260,600	55,130	55,684
Teaching and learning conditions survey (HB 08-1384)	85,000	0	0
Closing the achievement gap	5,301,000	0	0
Teacher pay incentive program	12,630,000	0	0
Science and technology education center grant program	1,400,000	0	0
Civic education	602,305	0	0
National credential fee assistance	493,000	0	0
Financial literacy	201,757	0	0
School leadership academy program (HB 08-1386)	162,983	0	0
Colorado history day	60,000	0	0
<b>SUBTOTAL: PROFESSIONAL DEVELOPMENT AND INSTRUCTIONAL SUPPORT</b>	<b>\$204,637,743</b>	<b>\$33,782,791</b>	<b>\$30,157,976</b>
<i>Percent of Total</i>	<i>2.2%</i>	<i>4.7%</i>	<i>4.8%</i>
<b>OTHER GRANTS, DISTRIBUTIONS, AND ASSISTANCE</b>			
Transfer to Early Literacy Fund (SB 13-260)	\$186,000,000	\$34,000,000	\$34,000,000
School counselor corps grant program (HB 08-1370)	78,002,172	10,000,000	10,000,000
Assistance to BOCES (HB 12-1345)	19,136,337	3,314,277	3,318,279
Child nutrition school lunch protection program (SB 08-123)	9,350,731	850,731	850,731
Colorado student leaders institute pilot program	875,300	0	0
Transfer to Colorado Teacher of the Year Fund (HB 14-1298)	124,000	24,800	24,800
Interstate compact on educational opportunities for military children	268,926	21,668	21,308
Funding for new textbooks	14,144,066	0	0



TABLE 1: HISTORY OF APPROPRIATIONS FROM THE STATE EDUCATION FUND

DESCRIPTION	CUMULATIVE FY 2001-02 THRU FY 2018-19	FY 2019-20	FY 2020-21
Summer school grant program	2,988,563	0	0
Regional service cooperatives (SB 08-038)	1,224,877	0	0
Facility summer school grant program	1,000,000	0	0
Aid for declining enrollment districts with new charter schools	1,000,000	0	0
Hold-harmless facility school student funding (HB 08-1388)	587,504	0	0
Family literacy education grant program	400,000	0	0
First responder school mapping (HB 08-1267)	150,000	0	0
<b>SUBTOTAL: OTHER GRANTS, DISTRIBUTIONS, AND ASSISTANCE</b>	<b>\$315,252,476</b>	<b>\$48,211,476</b>	<b>\$48,215,118</b>
<i>Percent of Total</i>	<i>3.3%</i>	<i>6.6%</i>	<i>7.7%</i>
<b>ACCOUNTABILITY/REFORM</b>			
Colorado student assessment program	\$237,807,787	\$21,099,171	\$25,446,180
Early literacy assessment tool (HB 12-1345)	17,456,621	2,997,072	2,997,072
Preschool to postsecondary alignment (SB 08-212)	6,771,952	618,538	635,363
Division of on-line learning (SB 07-215)	3,258,426	372,396	379,368
Basic skills placement or assessment tests (HB 12-1345)	1,841,834	50,000	50,000
Longitudinal assessment data analyses	1,878,000	298,000	298,000
Educator effectiveness unit administration (HB 13-1257)	749,474	132,241	136,738
Transfer to Financial Reporting Fund/Transparency System maintenance (HB 14-1292)	3,000,000	110,000	432,000
Transfer to Great Teachers and Leaders Fund (SB 13-260)	200,000	0	0
Educator effectiveness implementation (SB 10-191)	6,426,830	0	0
School improvement grant program	5,350,000	0	0
Facility schools unit and facility schools board (HB 08-1204)	523,568	0	0
Review and update of non-English assessments	411,953	0	0
Modifications to accountability reports	75,000	0	0
Study non-English assessments	50,000	0	0
Study administration of ACT	50,000	0	0
<b>SUBTOTAL: ACCOUNTABILITY/REFORM</b>	<b>\$285,851,445</b>	<b>\$25,677,418</b>	<b>\$30,374,721</b>
<i>Percent of Total</i>	<i>3.0%</i>	<i>3.5%</i>	<i>4.8%</i>
<b>TOTAL APPROPRIATIONS AND TRANSFERS FROM FUND</b>	<b>\$9,455,780,232</b>	<b>\$725,645,204</b>	<b>\$626,952,134</b>
<i>Annual Change</i>		<i>(\$34,001,559)</i>	<i>(\$98,693,070)</i>
<i>Percent Annual Change</i>		<i>(6.3%)</i>	<i>(13.6%)</i>

Table 2 summarizes SEF revenues and expenditures/appropriations for FY 2018-19 through FY 2020-21, including the ending fund balances for each year.

TABLE 2: COMPARISON OF STATE EDUCATION FUND REVENUES AND EXPENDITURES/APPROPRIATIONS  
(\$ MILLIONS)

DESCRIPTION	FY 2018-19	FY 2019-20	FY 2020-21
Beginning fund balance	\$208.7	\$176.0	\$111.4
Actual/projected revenues <sup>1</sup>	698.5	621.7	573.2
Appropriations/transfers to the SEF <sup>2</sup>	24.9	40.3	156.4
Actual expenditures/appropriation /transfers to other cash funds <sup>3</sup>	(756.1)	(726.6)	(627.9)
<b>Ending Fund Balance<sup>4</sup></b>	<b>\$176.0</b>	<b>\$111.4</b>	<b>\$213.2</b>

<sup>1</sup> Projected State Education Fund revenues for FY 2019-20 and FY 2020-21 are based on the amount of General Fund revenues anticipated to be directed or transferred to the Fund pursuant to the May 2020 Office of State Planning and Budgeting Revenue Forecast, as well as projections of interest earnings based on the State Education Fund model utilized by Legislative Council and Joint Budget Committee staff.

<sup>2</sup> Transfer from the General Fund to the State Education Fund for FY 2018-19 is based on S.B. 13-234 (State Prepay Money to FPPA Old Hire Pension Plans). The transfer in FY 2019-20 is a result of S.B. 19-246 (School Finance). The transfers in FY 2020-21 include: (1) \$113.0 million pursuant to H.B. 20-1420 (Adjust Tax Expenditures for State Education Fund); (2) \$6.2 million pursuant to H.B. 20-1418 (School Finance); and (3) \$37.0 million in federal CARES Act funds anticipated to be transferred to the State Education Fund by the Governor.

<sup>3</sup> Actual expenditures are reflected for FY 2018-19; appropriations are reflected for FY 2019-20 and FY 2020-21. Amounts include the following transfers to other cash funds: \$34.0 million per year to the Early Literacy Fund pursuant to H.B. 14-1292 (Student Success Act); and \$24,800 per year to the Colorado Teacher of the Year Fund pursuant to H.B. 14-1298 (School Finance).

<sup>4</sup> Totals may not sum due to rounding.

## F. HIGHWAY USERS TAX FUND OFF-THE-TOP APPROPRIATION

The Highway Users Tax Fund (HUTF) includes revenues from gas and special-fuel taxes, fines, license plate fees, driver's license fees, motor vehicle title and registration fees, and passenger-mile taxes. Section 18 of Article X of the Colorado Constitution limits expenditures from gas taxes and license and registration fees exclusively to the construction, maintenance, and supervision of state highways. HUTF "off-the-top" refers to the portion of the HUTF that is appropriated to the Colorado State Patrol for highway supervision. This amount is taken before the formula allocation of HUTF to the State Highway Fund, counties, and cities.

Section 43-4-201 (3)(a)(I)(C), C.R.S., limits the annual growth of HUTF off-the-top appropriations to no more than 6.0 percent of the off-the-top appropriation from the previous fiscal year, regardless of any increase or decrease in overall highway-related revenues. The following table shows the HUTF off-the-top appropriations for FY 2020-21, as compared to FY 2019-20 appropriations and the limit for FY 2020-21.

HUTF OFF-THE-TOP APPROPRIATIONS COMPARISON		
	APPROPRIATIONS COMPARISON	PERCENT CHANGE
FY 2019-20 HUTF Off the Top Appropriations Base	\$164,955,334	
6.0 Percent Allowable Growth	9,897,320	
FY 2020-21 HUTF Off the Top Appropriations Limit	\$174,852,654	6.0%
FY 2020-21 HUTF Off the Top Appropriations:		
Department of Public Safety, Colorado State Patrol (Long Bill Operating Budget)	\$163,540,911	
<b>Total FY 2020-21 HUTF Off the Top Appropriations</b>	<b>\$163,540,911</b>	<b>(0.9%)</b>
Over / (Under) FY 2020-21 Off the Top Appropriations Limit	(\$11,311,743)	

# G. SEVERANCE TAX TRUST FUND AND OPERATIONAL FUND OVERVIEW

This appendix describes the allocation of state severance tax revenues and anticipated expenditures from the Severance Tax Operational Fund.

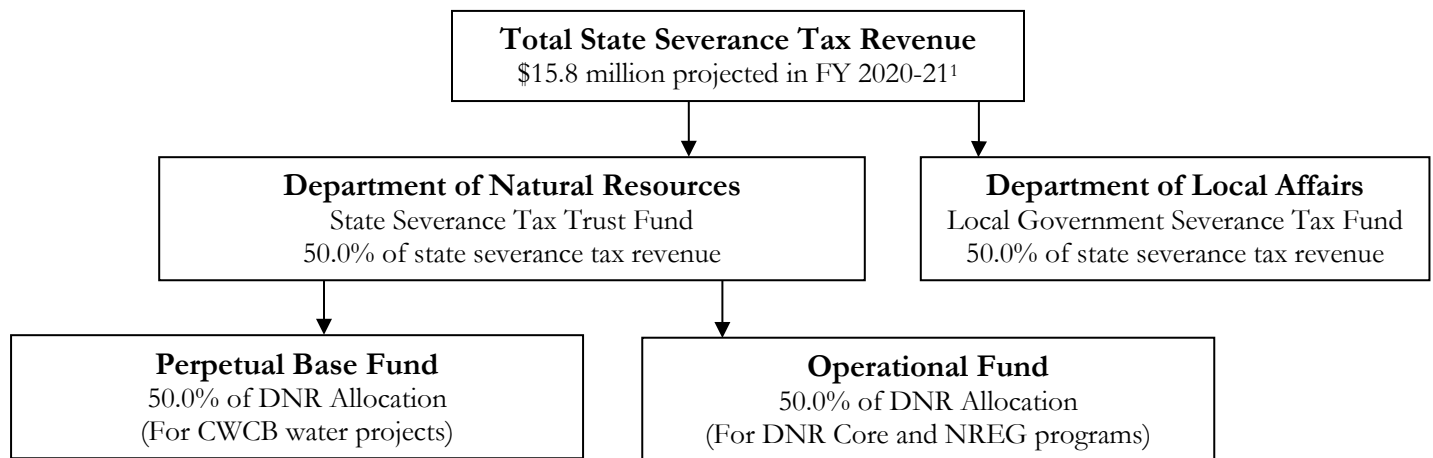
## SEVERANCE TAX REVENUE ALLOCATION

Pursuant to Section 39-29-108 (2)(b), C.R.S., 50.0 percent of severance tax revenue is credited to the Severance Tax Trust Fund, primarily for programs in the Department of Natural Resources (DNR), and the remaining 50.0 percent is credited to the Local Government Severance Tax Fund to be used by the Department of Local Affairs (DOLA) for grants and distributions to local governments affected by extraction activities.

Section 39-29-109 (1), C.R.S., specifies that the Severance Tax Trust Fund is intended to fund programs that "...promote and encourage sound natural resource planning, management, and development related to minerals, energy, geology, and water and for the use in funding programs to reduce the burden of increasing home energy costs on low-income households." Revenue in the State Severance Tax Trust Fund is further distributed as follows:

- Section 39-29-109 (2)(a)(II), C.R.S., provides for 50.0 percent of revenue deposited into the State Severance Tax Trust Fund (or 25.0 percent of total severance tax revenue) to be allocated to the Severance Tax Perpetual Base Fund and used by the Colorado Water Conservation Board (CWCB) for water construction projects.
- Section 39-29-109 (2)(b), C.R.S., provides for the remaining 50.0 percent of State Severance Tax Trust Fund revenue (or 25.0 percent of total severance tax revenue) to be allocated to the Severance Tax Operational Fund (Operational Fund).

The following figure illustrates the statutory distribution of severance tax revenue:



<sup>1</sup> Based on the May 2020 Legislative Council Staff revenue forecast (does not include interest earnings).

## SUMMARY OF THE SEVERANCE TAX OPERATIONAL FUND

The Operational Fund expenditures are divided into two tiers of programs. Formerly referred to as Tier 1 and Tier 2 expenditures, S.B. 19-016 (Severance Tax Operational Fund Distribution Methodology) renamed Tier 1 programs as "core departmental programs" and Tier 2 programs as "natural resources and energy grant (NREG) programs." The Core programs support the day-to-day operations of divisions within the DNR. NREG programs support grants,

loans, research, and construction. The required reserve for Core programs remains unchanged from prior years and requires a reserve equal to 100.0 percent of the appropriated amounts. However, S.B. 19-016 increased the required reserve for NREG programs from 15.0 percent of the authorized transfers (which currently total \$36.4 million) to 100.0 percent.

The distribution of funding for NREG programs was previously staggered three times throughout the fiscal year in which revenues were generated. This created budgeting and long-term planning issues for programs it funds when new forecasts reflected lower anticipated revenues. Senate Bill 19-016 changed the distribution to NREG programs from three times in the current fiscal year to an annual transfer of the previous year's revenues on August 15. This certainty of funds allows the NREG programs the ability to plan a budget based on a known amount each year.

The reserve for the Core programs takes priority over the revenue to be transferred to the NREG programs. Current year revenue will first fund the appropriations for the Core programs. Once those obligations are met, the Core programs reserve will begin to fill to ensure the Core programs have sufficient funding for one year of operations in the event of catastrophic revenue loss. Revenue of up to \$36.4 million will then be retained for the NREG programs distribution on August 15 in the following fiscal year. Finally, the next \$36.4 million in revenue will remain in the Operational Fund as the NREG reserve.

The following table provides an overview of projected revenues and expenditures from the Operational Fund based on the May 2020 Legislative Council Staff revenue forecast.

SEVERANCE TAX OPERATIONAL FUND				
	FY 2018-19 ACTUAL	FY 2019-20 APPROPRIATION	FY 2020-21 APPROPRIATION	FY 2021-22 PROJECTED
<b>Revenue</b>				
Beginning Fund Balance	\$9,414,921	\$53,592,926	\$33,875,877	\$4,708,072
NR&E Distributions in Arrears (Aug 15)	0	(36,378,072)	(16,836,548)	0
<i>Balance after NREG Distributions</i>	<i>\$9,414,921</i>	<i>\$17,214,854</i>	<i>\$17,039,329</i>	<i>4,708,072</i>
HB 18-1338 Transfers from GF	20,030,925	0	0	0
Revenue/Projected Revenue*	40,027,039	33,270,584	3,942,306	11,777,941
Interest/Projected Interest	685,781	698,726	526,457	592,437
<b>Total Available Revenue</b>	<b>\$70,158,666</b>	<b>\$51,184,164</b>	<b>\$21,508,092</b>	<b>\$17,078,450</b>
<b>Core Departmental Programs - DNR &amp; CGS</b>				
Oil & Gas Conservation Commission	\$6,148,067	\$6,148,067	\$6,148,067	\$6,148,067
CO Geo Survey	1,585,133	1,627,932	1,627,932	1,627,932
Avalanche Information Center	707,829	354,874	653,840	653,840
Reclamation, Mining, & Safety	2,956,230	2,892,355	2,956,230	2,956,230
CO Water Conservation Board	1,319,250	1,319,250	1,319,250	1,319,250
CPW - Parks	2,499,927	2,367,555	2,445,584	2,445,584
CPW - Wildlife	0	54,343	54,343	54,343
Executive Director's Office	1,753,171	1,788,384	1,594,774	1,594,774
<b>Core Programs Total</b>	<b>\$16,969,607</b>	<b>\$16,552,760</b>	<b>\$16,800,020</b>	<b>\$16,800,020</b>
<b>Core Reserve Requirement (100%)</b>	<b>\$17,214,854</b>	<b>\$16,552,760</b>	<b>\$16,800,020</b>	<b>\$16,800,020</b>
Revenue Held in Section 1 Reserve	17,214,854	16,552,760	4,708,072	278,430
<i>% Held in Section 1 Reserve</i>	<i>100.0%</i>	<i>100.0%</i>	<i>28.0%</i>	<i>1.7%</i>
<b>Other Expenditures</b>				
DRMS Legacy Mine Hydro Rollforwards	\$0	\$755,527	\$0	\$0
<b>Other Expenditures Total</b>	<b>\$0</b>	<b>\$755,527</b>	<b>\$0</b>	<b>\$0</b>
<b>Revenue Available for NREG Programs</b>	<b>\$35,974,205</b>	<b>\$17,323,117</b>	<b>\$0</b>	<b>\$0</b>
<b>Amount Held for Distribution</b>	<b>36,378,072</b>	<b>16,836,548</b>	<b>0</b>	<b>0</b>
<i>% of Authorized Distribution</i>	<i>100.0%</i>	<i>46.3%</i>	<i>0.0%</i>	<i>0.0%</i>
<b>NREG Reserve Requirement (100%)</b>	<b>\$36,378,072</b>	<b>\$36,378,072</b>	<b>\$36,378,072</b>	<b>\$36,378,072</b>
Revenue Held in Grant Program Reserve	0	486,569	0	0
<i>% Held in Grant Program Reserve</i>	<i>0.0%</i>	<i>1.3%</i>	<i>0.0%</i>	<i>0.0%</i>

SEVERANCE TAX OPERATIONAL FUND				
	FY 2018-19 ACTUAL	FY 2019-20 APPROPRIATION	FY 2020-21 APPROPRIATION	FY 2021-22 PROJECTED
<b>Transfer to Perpetual Base Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Natural Resources and Energy Grant Program Distributions (S.B. 19-016)</b>				
Water Supply Reserve Fund	\$0	\$10,000,000	\$4,628,213	\$0
Soil Conservation District Grants	0	450,000	208,270	0
Water Efficiency Grant Program	0	550,000	254,552	0
Species Conservation Trust Fund	0	5,000,000	2,314,107	0
LEAP - Low-income Energy Assistance	0	13,000,000	6,016,677	0
Interbasin Compact Committee	0	745,067	344,833	0
Forestry Grants	0	2,500,000	1,157,053	0
Aquatic Nuisance Species	0	4,006,005	1,854,065	0
Abandoned Mine Reclamation	0	127,000	58,778	0
<b>NREG Program Total Distributions</b>	<b>\$0</b>	<b>\$36,378,072</b>	<b>\$16,836,548</b>	<b>\$0</b>
*Based on the May 2020 Legislative Council Staff Revenue Forecast				

# H. TOBACCO REVENUE ALLOCATIONS

This appendix describes the allocation of revenues that Colorado receives from the Tobacco Master Settlement Agreement and from tobacco taxes imposed by Section 21 of Article X of the State Constitution (often called Amendment 35).

## TOBACCO MASTER SETTLEMENT AGREEMENT REVENUE ALLOCATION

The Tobacco Master Settlement Agreement (MSA) provides Colorado with an annual revenue stream distributed via a statutory formula to a variety of programs. Revenue from the MSA is the result of a 1998 legal settlement between tobacco manufacturers and the states who sued to recover Medicaid and other health-related costs incurred by the states as a result of treating smoking-related illnesses.

Tobacco Master Settlement Agreement payments are driven by the number of units sold, an inflation adjustment, and the amount of disputed payments withheld by Participating Manufacturers. Payments received in April are based on sales and adjustments from the prior year. For example, the payment received by Colorado in April 2018 was based on the number of units sold in 2017.

The core MSA funding allocation process is described in Section 24-75-1104.5, C.R.S. In brief:

- The total amount of tobacco settlement funds allocated to programs equals 98.5 percent of the total settlement payments received by the State during the prior fiscal year. Annual allocations do not include disputed amounts that have been withheld by tobacco companies.
- Annual allocations include money received during the prior fiscal year and the current fiscal year.
- Most programs cannot spend their allocation without an appropriation. In most cases, the appropriation equals or approximates the annual allocation.

Allocation formula procedures are described in more detail below.

### USE OF CURRENT AND PRIOR-YEAR REVENUE TO SUPPORT ALLOCATIONS - ACCELERATED PAYMENTS

Since FY 2008-09, allocations during a given year have been a combination of current-year and prior-year revenue. Prior to FY 2007-08, all allocations were based on revenue received in the prior year. Pursuant to H.B. 07-1359, for FY 2008-09, the General Assembly began to rely on current year receipts to support current year allocations, which allowed it to redirect one-time funds of \$15.4 million to other purposes without reducing support for MSA-funded programs. Pursuant to S.B. 09-269, for FY 2010-11, the General Assembly expanded the use of current year revenue, using this mechanism to access \$65.0 million in one-time funding without reducing support for MSA-funded programs. This use of current year revenue is referred to as the “accelerated payment.” Because of these acts, MSA-funded programs operate for most of the fiscal year before the majority of the tobacco settlement revenue arrives. To do so, the programs may receive advances from the State Treasury which are repaid in April.

House Bill 12-1247 began to gradually reduce the use of such advances from the Treasury by reducing the use of current year revenue and increasing the use of prior year revenue for MSA allocations. This act requires spending from current year revenue to be reduced each year by any unallocated MSA funds and other residual funds in the Tobacco Litigation Settlement Cash Fund (approximately \$1.2 million per year, but varies by year). Allocations from reserves in the Tobacco Litigation Settlement Cash Fund compensate for the decline in spending from current year

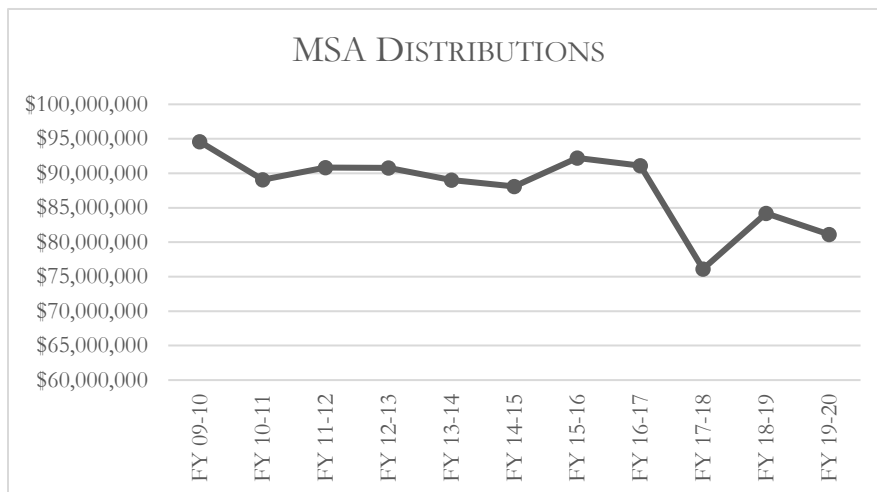
revenue, so that programs supported by MSA revenue receive no less than they would have under the previous formula. For FY 2019-20, the accelerated payment totaled \$41.3 million.

For FY 2020-21, H.B. 20-1380 (Move Tobacco Litigation Settlement Moneys) increases the accelerated payment by \$20.0 million, redirecting these funds on a one-time basis to the General Fund. This brings the accelerated payment total to \$61.3 million.

## MSA FUNDING HISTORY

The tables below reflect the total amount transferred to programs since FY 2009-10. Note that the amounts below may not align with total funding received by the state or the final appropriation included in the Long Bill, but reflect the amounts distributed to programs each fiscal year.<sup>1</sup>

MSA DISTRIBUTIONS	
FISCAL YEAR	DISTRIBUTION
FY 2009-10	\$94,587,045
FY 2010-11	89,065,763
FY 2011-12	90,809,964
FY 2012-13	90,769,997
FY 2013-14	89,037,054
FY 2014-15	88,079,225
FY 2015-16	92,200,153
FY 2016-17	91,116,849
FY 2017-18	76,116,849
FY 2018-19	84,205,504
FY 2019-20	81,149,778



## H.B. 20-1380 AND FY 2020-21 DISTRIBUTIONS

MSA revenues are distributed according to a statutory formula. As part of the budget balancing package, H.B. 20-1380 made a one-time modification to the statutory distribution to free up funds for transfer to the General Fund. The table below summarizes the total allocations by department and program for FY 2020-21. The center columns indicate the amount that would have been distributed via statutory formula, based on the February Legislative Council forecast. The columns on the right indicate the modified distribution for FY 2020-21. Items in bold represent modifications from the allocation forecasted in February. Unallocated amounts listed at the bottom of the table were transferred to the General Fund for budget balancing. In most cases, the formula remained unchanged. For more information about H.B. 20-1380, see page 241 of the FY 2020-21 Long Bill Narrative<sup>2</sup>.

TOBACCO MASTER SETTLEMENT AGREEMENT REVENUE ALLOCATIONS FY 2020-21				
	STATUTORY %	STATUTORY FORMULA, FEB. FORECAST	MODIFIED %	MODIFIED DISTRIBUTIONS
Health Care Policy and Financing				
Children's Basic Health Plan Trust	18.0%	\$14,464,601	18.0%	\$14,464,601
Autism Waiver	2.0%	1,607,178	2.0%	1,607,178
<b>Subtotal - Health Care Policy and Financing</b>	<b>20.0%</b>	<b>16,071,779</b>	<b>20.0%</b>	<b>16,071,779</b>
Higher Education				

<sup>1</sup> Litigation prior to 2019 resulted in a number of one-time receipts related to payment disputes between Colorado and participating manufacturers. Pursuant to statute, these payments were directed to the General Fund or were used to pay down the accelerated payment. Long Bill appropriations are often set at a higher amount than the expected transfer amount in order to spend down any accumulated fund balance.

<sup>2</sup> Long Bill Narrative: <http://leg.colorado.gov/publications/fy-2020-21-long-bill-narrative>.

## TOBACCO MASTER SETTLEMENT AGREEMENT REVENUE ALLOCATIONS FY 2020-21

	STATUTORY %	STATUTORY FORMULA, FEB. FORECAST	MODIFIED %	MODIFIED DISTRIBUTIONS
University of Colorado Health Sciences Center	15.5%	12,455,629	15.5%	12,455,629
Cancer Program	2.0%	1,607,178	2.0%	1,607,178
<b>Subtotal - Higher Education</b>	<b>17.5%</b>	<b>14,062,806</b>	<b>17.5%</b>	<b>14,062,807</b>
Human Services				
Nurse Home Visitor Program	26.7%	21,455,825	26.7%	21,455,825
Tony Gramscas Youth Services Program	7.5%	6,026,917	7.5%	6,026,917
<b>Subtotal - Human Services</b>	<b>34.2%</b>	<b>27,482,742</b>	<b>34.2%</b>	<b>27,482,742</b>
Law				
Tobacco Settlement Defense Account	2.5%	2,008,972	<b>0.75%</b>	<b>602,692</b>
Military and Veterans Affairs				
State Veterans Trust Fund	1.0%	803,589	1.0%	803,589
Personnel				
Supplemental State Contribution Fund	2.3%	1,848,255	2.3%	1,848,255
Public Health and Environment				
Drug Assistance Program (ADAP; Ryan White)	5.0%	4,017,945	5.0%	4,017,945
AIDS and HIV Prevention Grants (CHAPP)	3.5%	2,812,561	3.5%	2,812,561
Immunizations	2.5%	2,008,972	2.5%	2,008,972
Health Services Corps Fund	1.0%	803,589	1.0%	803,589
Dental Loan Repayment Program	1.0%	803,589	<b>0.8%</b>	<b>642,872</b>
<b>Subtotal Public Health and Environment</b>	<b>13.0%</b>	<b>10,446,656</b>	<b>12.8%</b>	<b>10,285,939</b>
Capital Construction - Higher Education - Fitzsimons Lease Purchase Payments	8.0%	6,428,712	8.0%	6,428,712
Unallocated Amount	1.5%	1,205,383	3.5%	<b>2,772,381</b>
Amount Received Over Forecast (Unallocated)	n/a	n/a	n/a	<b>2,000,130</b>
<b>TOTAL</b>	<b>100.0%</b>	<b>\$80,358,894</b>	<b>100.0%</b>	<b>\$82,359,026</b>

## CONSTITUTIONAL (AMENDMENT 35) TOBACCO TAX REVENUE ALLOCATION

Amendment 35 was approved by the voters in 2004 and added the following two cigarette and tobacco taxes to Section 21 of Article X of the State Constitution:

- An additional \$0.64 tax on each pack of cigarettes sold in Colorado (a pack equals twenty cigarettes); and
- A statewide tobacco products tax equal to 20.0 percent of the manufacturer's list price, on the sale, use, consumption, handling, or distribution of tobacco products by distributors.

Amendment 35 was codified in Section 24-22-117, C.R.S. This provision outlines how revenue from Amendment 35 is allocated to various state agencies including the Departments of Health Care Policy and Financing (HCPF), Public Health and Environment (PHE), and Revenue (REV). The following table summarizes the expected distribution of Amendment 35 revenue for FY 2020-21, based on the May 2020 Legislative Council forecast.

EXPECTED DISTRIBUTION OF AMENDMENT 35 REVENUES FOR FY 2020-21			
DEPT.	PROGRAM AND/OR FUND	PERCENT	MAY FORECAST
HCPF	Health Care Expansion Fund	46.0	\$56,660,960
HCPF	Primary Care Fund	19.0	23,403,440
PHE	Tobacco Education Programs Fund	16.0	19,708,160
PHE	Prevention, Early Detection and Treatment Fund	16.0	19,708,160
HCPF	Old Age Pension Fund	1.5	1,847,640
REV	Local governments to compensate for lost revenue from tobacco taxes	0.9	1,108,584
PHE	Immunizations performed by small local public health agencies.	0.3	369,528



EXPECTED DISTRIBUTION OF AMENDMENT 35 REVENUES FOR FY 2020-21			
DEPT.	PROGRAM AND/OR FUND	PERCENT	MAY FORECAST
HCPF	Children's Basic Health Plan	0.3	369,528
<b>Total Distributions</b>		<b>100.0</b>	<b>\$123,176,000</b>

A portion of the money that is credited to the Prevention Early Detection and Treatment (PEDT) Fund is further allocated for three purposes: Breast and Cervical Cancer Program, Health Disparities Program Fund, and Center for Health and Environmental Information. The following table summarizes how the total funds credited to the PEDT Fund are further allocated.

BREAKDOWN OF MONEY CREDITED TO THE PREVENTION EARLY DETECTION AND TREATMENT FUND		
TREATMENT FUND	PERCENT	FY 2020-21
<b>Total Amount Credited to the Prevention, Early Detection and Treatment Fund</b>		<b>\$19,708,160</b>
Breast and Cervical Cancer Program	20.0%	3,941,632
Health Disparities Program Fund	15.0%	2,956,224
Center for Health and Environmental Information	Fixed \$	116,942
<i>Remains in the Prevention, Early Detection and Treatment Fund</i>		<i>\$12,693,362</i>

# I. MARIJUANA TAX REVENUE ALLOCATIONS

This appendix provides an overview of state taxes related to marijuana, the allocation of these tax revenues, and a summary of appropriations and transfers from the Marijuana Tax Cash Fund for FY 2019-20 and FY 2020-21.

## LEGAL AND REGULATORY OVERVIEW

Marijuana was legalized in Colorado through the passage of two citizen ballot initiatives that amended the State Constitution. In 2000, voters passed an initiative<sup>1</sup> that added Section 14 to Article XVIII, authorizing the medical use of marijuana for persons suffering from debilitating medical conditions. In 2012, voters passed an initiative<sup>2</sup> that added Section 16 to Article XVIII, authorizing personal use of marijuana.

The General Assembly has passed legislation to implement the constitutional provisions adopted by voters. The most significant statutory provisions concerning marijuana include:

- Colorado Medical Marijuana Code [Section 44-11-101 et. seq., C.R.S.]<sup>3</sup>
- Colorado Retail<sup>4</sup> Marijuana Code [Section 44-12-101 et. seq., C.R.S.]<sup>3</sup>
- Taxes on Marijuana and Marijuana Products [Section 39-28.8-101 et seq., C.R.S.]

Two state agencies are primarily responsible for implementing the above laws:

- The **Department of Revenue** has two general areas of responsibility:
  - The Department's Executive Director is the "State Licensing Authority," charged with regulating and controlling the licensing of the cultivation, manufacture, distribution, and sale of medical and retail marijuana. These duties are performed with the assistance of the Department's Marijuana Enforcement Division and are supported by medical and retail marijuana business fees that are credited to the *Marijuana Cash Fund*.<sup>5</sup> These regulatory functions include:
    - Establishing and enforcing rules and regulations for the marijuana industry;
    - Administering the marijuana inventory seed-to-sale tracking system (METRC);
    - Issuing licenses to medical and retail marijuana businesses (including stores, cultivations, and testing facilities), and issuing occupational licenses to those seeking employment in the marijuana industry;
    - Administering caregiver cultivation registration; and
    - Approving responsible vendor training programs.
  - The Department collects, administers, and enforces state taxes and fees related to marijuana and marijuana products. This includes the distribution of a portion of the special sales tax on retail marijuana to local governments. These activities are supported by medical and retail marijuana sales tax revenues that are credited to the *Marijuana Tax Cash Fund*.

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<sup>1</sup> Amendment 20 was adopted with 915,943 (53.5 percent) voting for the measure.

<sup>2</sup> Amendment 64 was adopted with 1,383,140 (55.3 percent) voting for the measure.

<sup>3</sup> Senate Bill 19-224 incorporates recommendations from the sunset reviews for the Colorado Medical Marijuana Code and the Colorado Retail Marijuana Code, and integrates the two codes into a single "Colorado Marijuana Code" in Article 10 of Title 44, C.R.S.

<sup>4</sup> While marijuana that is sold for personal use as authorized by Amendment 64 is generally called "recreational" marijuana, the statutory provisions that implement Amendment 64 use the term "retail" marijuana. Staff has generally used the term "retail" for purposes of this document.

<sup>5</sup> Actual business fee and fine revenues collected and credited to this fund, along with associated interest and other adjustments, totaled \$12,278,328 in FY 2018-19.

- The **Department of Public Health and Environment** administers certain aspects of the medical marijuana program, including:
  - Administering the medical marijuana registry (which tracks patients, caregivers, and physician recommendations) and distributing medical marijuana cards;
  - Coordinating inspection of retail marijuana lab testing facilities;
  - Administering education and prevention campaigns to educate the public and visitors on the parameters of safe, legal, and responsible marijuana use; and
  - Monitoring all marijuana use patterns, health impacts, and research on marijuana's health effects.
  - This department's regulatory activities are supported by fees paid by patients seeking medical marijuana cards that are credited to the *Medical Marijuana Program Cash Fund*,<sup>6</sup> and the remaining activities are supported by medical and retail marijuana sales tax revenues that are credited to the *Marijuana Tax Cash Fund*.

Other state agencies that perform key functions related to marijuana legalization include the following:

- The **Department of Agriculture** determines and monitors allowable pesticides for use on cannabis plants. This department also administers registration for commercial industrial hemp growers and administers industrial hemp inspection, sampling, and testing.
- The **Governor's Office** coordinates the Executive Branch response to the legalization of marijuana, including strategic planning and budget coordination.
- The **Department of Law** provides training for peace officers concerning various legal issues related to marijuana legalization. This department also provides legal clarification and guidance for state agencies and district attorneys concerning marijuana legalization.
- The **Department of Public Safety** enforces criminal marijuana laws, and collects and analyzes data concerning the impacts of marijuana legalization.
- The **Department of Regulatory Agencies** administers disciplinary proceedings concerning physicians who inappropriately recommend medical marijuana in excess, for a profit, or without medical necessity. This department is also responsible for approving applications for charter marijuana financial services cooperatives.
- The **Department of Transportation** administers impaired driving public education campaigns, including those related to marijuana use. This department also administers and certifies Colorado law enforcement officers in advanced impaired driving training and in the detection of drivers impaired by drugs other than alcohol.

Local governments also have a role in regulating marijuana. Cities and counties may prohibit or place limits on the medical and retail marijuana sales in their jurisdictions, including the number and location of businesses and hours of operation. Cities and counties may establish land use restrictions concerning marijuana businesses, cultivation, and operations. Local jurisdictions may also impose and collect their own sales or excise tax on retail marijuana. However, each local government is responsible for collecting, administering, and enforcing local marijuana taxes.

## TAX REVENUE OVERVIEW

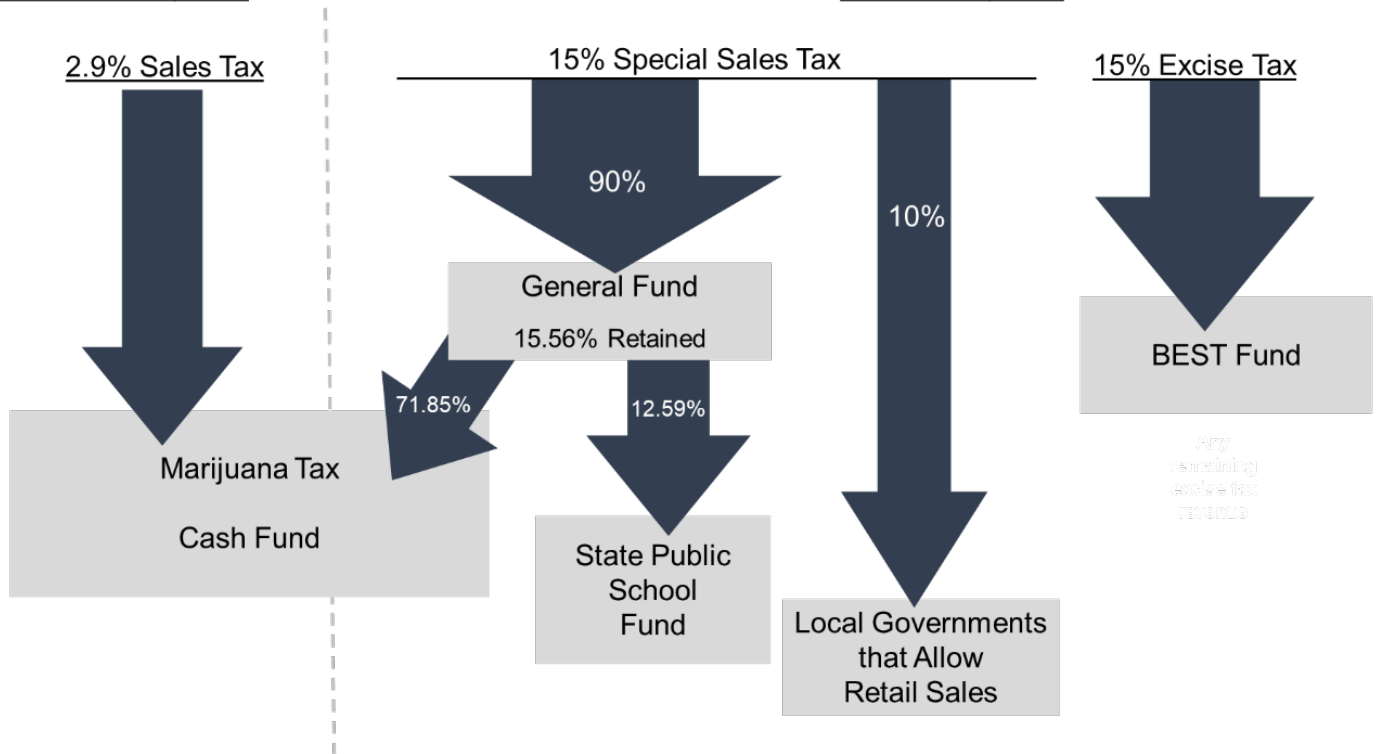
The State collects three types of taxes on marijuana products. The following graphic (designed by Legislative Council Staff) illustrates the statutory allocation of state tax revenue related to marijuana for FY 2019-20. Please note that for FY 2020-21 only, H.B. 20-1418 (School Finance) diverts any marijuana excise tax revenues above the first \$40.0 million in collections to the State Public School Fund rather than the Public School Capital Construction Assistance (BEST) Fund as a budget balancing measure. A discussion of each type of tax and the allocation of the associated tax revenue follows the graphic.

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<sup>6</sup> Actual patient fee revenues collected and credited to this fund, along with associated interest and other adjustments, totaled \$2,127,870 in FY 2018-19.

## Medical Marijuana

## Retail Marijuana



First, a **regular state sales tax** (2.9 percent) applies to consumer goods. With respect to marijuana products, this tax applies to sales of medical marijuana and to non-marijuana products sold by marijuana stores (e.g., t-shirts and other novelty items). Since July 1, 2017, retail marijuana has been exempt from this tax. All general sales tax revenue related to marijuana is credited to the *Marijuana Tax Cash Fund* (MTCF) and is used to support a variety of state programs and services. The next section of this appendix provides an overview of the allocation of money in this fund.

Second, a **special sales tax** (15.0 percent<sup>7</sup>) is collected on retail marijuana sales (medical marijuana is exempt from this tax). Of the total amount collected annually, 10.0 percent is allocated to local governments based on the percentage of such revenues collected within the boundaries for each local government. The remaining 90.0 percent state share of special sales tax revenues is allocated among three funds:

- 71.85 percent is transferred to the *MTCF* and is annually appropriated to support a variety of state programs and services;
- 12.59 percent is transferred to the *State Public School Fund* and may be appropriated to the Department of Education to meet the State’s share of total program funding for school districts and institute charter schools<sup>8</sup>; and
- the remainder (15.56 percent<sup>8</sup>) is retained in the *General Fund* and is thus available for appropriation in the fiscal year in which it is collected.

Third, a 15.0 percent marijuana **excise tax** applies to the wholesale price of the product being sold or otherwise transferred from a retail marijuana cultivation facility. For certain transfers between unaffiliated businesses, the tax applies to the contract price for the transfer. For transfers between affiliated businesses, the tax applies to an “average market rate” (AMR) set periodically by the Department of Revenue’s Office of Research and Analysis (ORA) and the Marijuana Enforcement Division (MED).

<sup>7</sup> In 2013, voters approved Proposition AA, which authorized the State to levy up to a 15.0 percent excise tax and up to a 15.0 percent special retail sales tax on retail marijuana and marijuana products. The State initially chose to levy a 10.0 percent special sales tax (effective beginning January 1, 2014). Pursuant to S.B. 17-267, the special sales tax rate increased to 15.0 percent, effective July 1, 2017.

<sup>8</sup> For FY 2017-18 only, a flat amount of \$30,000,000 was transferred to the State Public School Fund (rather than applying 12.59 percent to annual special sales tax revenues) and was statutorily appropriated to the Department of Education for disbursement to schools in rural school districts.

The State Constitution<sup>9</sup> requires the first \$40.0 million of excise tax revenue raised annually from retail marijuana wholesale products to be transferred to the *Public School Capital Construction Assistance Fund (PSCCAF)*. Money in this fund helps pay for local K-12 school construction projects through the Building Excellent Schools Today (BEST) program, which is administered through the Department of Education. Prior to FY 2018-19, statute credited annual excise tax revenues in excess of \$40.0 million to the Public School (Permanent) Fund. However, several recent bills have changed the allocation of marijuana excise tax revenues:

- House Bill 18-1101 required that starting July 1, 2018, the greater of \$40.0 million or 90.0 percent of the total excise tax revenue collected annually be transferred to the PSCCAF.
- House Bill 19-1055 required that starting July 1, 2019, all excise tax revenue collected annually is transferred to the PSCCAF, thereby eliminating the transfer of any excise tax revenue to the Permanent Fund. As discussed above, for FY 2020-21, H.B. 20-1418 deposits the first \$40.0 million in the PSCCAF and transfers any additional revenue to the State Public School Fund.
- For FY 2020-21 only, H.B. 20-1418 credits any excise tax revenue above \$40.0 million to the State Public School Fund rather than the PSCCAF.

From FY 2013-14 through FY 2018-19, a total of \$264.2 million from marijuana excise tax revenue has been credited to the PSCCAF and the Permanent Fund, including:

- \$196.6 million to the PSCCAF<sup>10</sup>; and
- \$67.6 million to the Public School “Permanent” Fund.

Two of the three sources of state marijuana-related tax revenues are not subject to the limitation on state fiscal year spending imposed by Article X, Section 20, of the State Constitution (the Taxpayer’s Bill of Rights or TABOR): the special sales tax and the excise tax<sup>11</sup>. However, the regular state sales tax (2.9 percent) revenue collected by medical marijuana centers and retail marijuana stores is subject to TABOR. In addition, the fees and fines paid by retail and medical marijuana businesses and the fees paid by medical marijuana patients are subject to TABOR. For FY 2018-19, the marijuana-related tax and fee revenue that is subject to TABOR totaled \$22.7 million (including \$10.8 million in sales tax revenue and \$11.9 million in fee revenue).

## MARIJUANA TAX CASH FUND OVERVIEW

As described earlier in this appendix, the General Assembly has established three marijuana-related cash funds:

- The *Marijuana Cash Fund* consists of medical and retail marijuana business fees and fines. Money in this fund is annually appropriated to the Department of Revenue to support the Marijuana Enforcement Division.
- The *Medical Marijuana Program Cash Fund* consists of fees paid by patients seeking medical marijuana cards. Money in this fund is annually appropriated to the Department of Public Health and Environment to support the medical marijuana registry and other regulatory functions.
- The *Marijuana Tax Cash Fund* (MTCF) consists of: (a) all revenues collected from the regular state sales tax on medical marijuana and non-marijuana retail product sales; and (b) a portion of special sales tax revenue that is collected on retail marijuana sales (64.665 percent). The General Assembly annually appropriates money in this fund to support a variety of state programs and services, including the Department of Revenue’s Taxation Business Group.

In FY 2018-19, the State collected a total of \$262.2 million in marijuana tax revenue and allocated this amount as follows:

- \$135.4 million (51.6 percent) was credited to the MTCF and appropriated for a variety of purposes;

<sup>9</sup> See Article XVIII, Section 16 (5)(d), of the State Constitution.

<sup>10</sup> This amount excludes an additional \$40.0 million from *sales* tax revenues that was transferred to the Public School Capital Construction Assistance Fund from the Proposition AA Refund Account in FY 2015-16, pursuant to voter approval of Proposition BB..

<sup>11</sup> See Sections 39-28.8-204 and 39-28.8-307, C.R.S., respectively.

- \$78.6 million (30.0 percent) was allocated to three funds that support K-12 education;
- \$19.3 million (7.4 percent) was distributed to local governments; and
- \$28.9 million (11.0 percent) was retained in the General Fund.

The remainder of this section provides an overview of the allocation of money in the MTCF.

The statutory provision that establishes the (MTCF) limits the timing, amount, and allowable uses of this fund.<sup>12</sup> With respect to **timing**, prior to FY 2020-21, statute limited most appropriations from the MTCF (other than for specific uses in the Department of Revenue) to the fiscal year following the fiscal year in which the revenue was received (e.g., revenue collected in FY 2019-20 could only be appropriated for FY 2020-21 or subsequent fiscal years). However, the enactment of H.B. 20-1401 (Marijuana Tax Cash Fund Spending and Transfer) repealed that limitation. As a result, beginning in FY 2020-21 the General Assembly may appropriate or transfer money from the MTCF in the same year in which the revenue is collected.

With respect to the **amount** appropriated from the MTCF, this statutory provision limits annual appropriations from the MTCF to 93.5 percent of the “amount of moneys in the fund available for appropriation.” This provision thus establishes an annual MTCF reserve that is similar to the statutory General Fund reserve requirement.<sup>13</sup>

Finally, the General Assembly has specified the **allowable purposes** for which appropriations from the MTCF may be made. These purposes are listed in Section 39-28.8-501 (2)(b)(IV), C.R.S., and are periodically amended through legislation.

The General Assembly makes annual appropriations from the MTCF based on the most recent tax revenue projections from either Legislative Council Staff or staff at the Office of State Planning and Budgeting (OSPB). Appropriations for FY 2020-21 were premised on the May 2020 revenue forecast prepared by the Office of State Planning and Budgeting. Based on that forecast, a total of \$284.4 million is projected to be available for transfers and appropriations for FY 2020-21. It is important to note that much of this is “one-time” funding because the revenues include collections from both FY 2019-20 and FY 2020-21. As the fund balance is depleted, annual appropriations and transfers will have to align with annual (single year) revenues.

The General Assembly appropriated or transferred a total of \$262.9 million from the MTCF for FY 2020-21, including \$121.7 million in appropriations to various departments and \$141.2 million in transfers to other funds (primarily driven by a transfer of \$137.0 million to the General Fund in H.B. 20-1401 as a budget balancing measure). The following table details appropriations and transfers from the MTCF for FY 2019-20 and FY 2020-21.

SUMMARY OF APPROPRIATIONS AND TRANSFERS FROM THE MARIJUANA TAX CASH FUND (INCLUDING THE LONG BILL AND OTHER LEGISLATION)			
	FY 2019-20 APPROPRIATIONS	FY 2020-21 APPROPRIATIONS	ANNUAL CHANGE
Breakdown of Appropriations by Department and Program			
<b>Agriculture:</b>			
Pesticide control and regulation	\$1,087,385	\$1,198,700	\$111,315
Hemp regulatory and seed certification	300,000	150,000	(150,000)
Colorado State Fair Authority: FFA and 4-H programming	<u>509,264</u>	<u>554,694</u>	<u>45,430</u>
<b>Subtotal: Agriculture</b>	<b>1,896,649</b>	<b>1,903,394</b>	<b>6,745</b>

<sup>12</sup> See Section 39-28.8-501 (2), C.R.S.

<sup>13</sup> Please note that in response to the revenue shortfall, H.B. 20-1383 (Reduce the General Fund Reserve) reduces the statutory General Fund reserve requirement from 7.25 percent in FY 2018-19 to 3.07 in FY 2019-20 and 2.86 percent in FY 2020-21 and FY 2021-22. The bill restores the 7.25 percent requirement in FY 2022-23 and beyond. See Section 24-84-201.1 (1)(d)(XX) through (XXII), C.R.S.

SUMMARY OF APPROPRIATIONS AND TRANSFERS FROM THE MARIJUANA TAX CASH FUND (INCLUDING THE LONG BILL AND OTHER LEGISLATION)			
	FY 2019-20 APPROPRIATIONS	FY 2020-21 APPROPRIATIONS	ANNUAL CHANGE
<b>Education:</b>			
School Health Professionals Grant Program	14,937,032	11,948,026	(2,989,006)
Early Literacy Competitive Grant Program	5,378,678	5,378,678	0
Office of Dropout Prevention and Student Reengagement	2,004,279	2,006,088	1,809
Appropriation to the School Bullying Prevention and Education Cash Fund	2,000,000	1,000,000	(1,000,000)
Concurrent Enrollment Expansion and Innovation Grant Program	1,500,000	1,476,896	(23,104)
Comprehensive Physical Education Pilot Program	1,100,000	0	(1,100,000)
K-5 Social and Emotional Health Pilot Program	43,114	0	(43,114)
Centrally appropriated amounts not accounted for above	<u>116,262</u>	<u>129,453</u>	<u>13,191</u>
<b>Subtotal: Education</b>	<b>27,079,365</b>	<b>21,939,141</b>	<b>(5,140,224)</b>
<b>Governor:</b>			
Office of Information Technology, Applications Administration	638,750	638,750	0
Evidence-based policymaking evaluation and support	500,000	500,000	0
Governor's Office	106,912	106,912	
Centrally appropriated amounts not accounted for above	<u>7,978</u>	<u>9,619</u>	<u>1,641</u>
<b>Subtotal: Governor</b>	<b>1,253,640</b>	<b>1,255,281</b>	<b>1,641</b>
<b>Health Care Policy and Financing:</b>			
Training for health professionals to provide Screening, Brief Intervention, and Referral for Treatment (SBIRT) services for Medicaid clients at risk for substance abuse	<u>1,500,000</u>	<u>500,000</u>	<u>(1,000,000)</u>
<b>Subtotal: Health Care Policy and Financing</b>	<b>1,500,000</b>	<b>500,000</b>	<b>(1,000,000)</b>
<b>Higher Education:</b>			
Medication-assisted Treatment Pilot Program (S.B. 17-074, S.B. 19-001)	2,500,000	2,500,000	0
Institute of Cannabis Research at CSU-Pueblo (S.B. 16-191)	1,800,000	1,000,000	(800,000)
Opioid awareness campaign, grant assistance, and provider education per Section 27-80-118, C.R.S.	1,000,000	500,000	(500,000)
Perinatal Data Linkage Study (S.B. 19-228)	<u>100,000</u>	<u>50,000</u>	<u>(50,000)</u>
<b>Subtotal: Higher Education</b>	<b>5,400,000</b>	<b>4,050,000</b>	<b>(1,350,000)</b>
<b>Human Services:</b>			
Increasing access to effective substance use disorder services, including evaluation of intensive residential treatment (S.B. 16-202)	15,576,864	13,921,095	(1,655,769)
Criminal justice diversion programs (Law Enforcement Assisted Diversion or "LEAD" pilot programs and S.B. 17-207)	5,689,020	5,632,130	(56,890)
Circle Program and other rural treatment programs for people with co-occurring mental health and substance use disorders	3,130,596	5,590,842	2,460,246
Mental health services for juvenile and adult offenders	5,710,843	4,653,735	(1,057,108)
Enhance behavioral health crisis response system (S.B. 17-207)	4,704,173	3,957,414	(746,759)
Programs that fund service alternatives to placing youth in a correctional facility (S.B. 91-094)	2,074,468	3,048,112	973,644
Tony Gramscas Youth Services Program grants for the prevention of youth marijuana use	1,623,672	1,623,672	0
Incredible Years program	679,106	846,029	166,923
Community prevention and treatment for alcohol and drug abuse	782,545	774,830	(7,715)
Office of Behavioral Health administrative expenses	611,862	565,831	(46,031)
Treatment and Detoxification Programs	1,192,367	540,000	(652,367)

SUMMARY OF APPROPRIATIONS AND TRANSFERS FROM THE MARIJUANA TAX CASH FUND (INCLUDING THE LONG BILL AND OTHER LEGISLATION)			
	FY 2019-20 APPROPRIATIONS	FY 2020-21 APPROPRIATIONS	ANNUAL CHANGE
Substance use disorder treatment at the mental health institutes	503,649	535,753	32,104
Appropriation to the Youth Mentoring Services Cash Fund (Tony Grampsas Youth Services Program)	1,000,000	500,000	(500,000)
Mental Health Treatment for Children and Youth at Risk of Out-of-home Placement	417,727	413,031	(4,696)
Medication consistency and health information exchange (S.B. 17-019)	380,700	380,700	0
Office of Operations, personal services	0	3,291	3,291
Building Substance Use Disorder Treatment Capacity in Underserved Communities Grant Program	5,000,000	0	(5,000,000)
Disability benefits application assistance	1,292,010	0	(1,292,010)
Office of Information Technology Services, Behavioral Health Capacity Tracking System	260,206	0	(260,206)
Adult Assistance Programs Administration	157,990	0	(157,990)
Indirect cost assessments and centrally appropriated amounts not accounted for above	<u>1,771,270</u>	<u>1,773,026</u>	<u>1,756</u>
<b>Subtotal: Human Services</b>	<b>52,559,068</b>	<b>44,759,491</b>	<b>(7,799,577)</b>
<b>Judicial:</b>			
Appropriation to the Correctional Treatment Cash Fund for jail-based behavioral health services (administered through the Department of Human Services)	<u>1,603,319</u>	<u>1,587,285</u>	<u>(16,034)</u>
<b>Subtotal: Judicial</b>	<b>1,603,319</b>	<b>1,587,285</b>	<b>(16,034)</b>
<b>Labor and Employment:</b>			
Colorado Veterans' Service-to-career Pilot Program (H.B. 16-1267)	<u>0</u>	<u>300,000</u>	<u>300,000</u>
<b>Subtotal: Labor and Employment</b>	<b>0</b>	<b>300,000</b>	<b>300,000</b>
<b>Law:</b>			
Local law enforcement training through the Peace Officers Standards and Training (POST) Board	1,036,766	0	(1,036,766)
Office of Community Engagement/Safe2Tell	<u>174,888</u>	<u>175,209</u>	<u>321</u>
<b>Subtotal: Law</b>	<b>1,211,654</b>	<b>175,209</b>	<b>(1,036,445)</b>
<b>Local Affairs:</b>			
Affordable Housing Construction Grants and Loans	15,300,000	15,300,000	0
Gray and Black Market Marijuana Enforcement Efforts (H.B. 17-1221)	5,944,365	950,673	(4,993,692)
Low income rental subsidies	826,500	939,649	113,149
Indirect cost assessments and centrally appropriated amounts not accounted for above	<u>149,942</u>	<u>292,570</u>	<u>142,628</u>
<b>Subtotal: Local Affairs</b>	<b>22,220,807</b>	<b>17,482,892</b>	<b>(4,737,915)</b>
<b>Public Health and Environment:</b>			
Substance abuse prevention	9,433,890	9,439,501	5,611
Public awareness campaign	4,650,000	954,102	(3,695,898)
Colorado Health Service Corps Program (S.B. 18-024)	2,500,000	2,044,153	(455,847)
Distributions to Local Public Health Agencies	3,392,537	1,810,105	(1,582,432)
Transfer to Harm Reduction Cash Fund	1,800,000	1,800,000	0
Healthy Kids Colorado Survey	748,314	752,416	4,102
Marijuana Health Effects Monitoring	341,509	349,895	8,386
Health survey data collection	602,000	238,000	(364,000)



SUMMARY OF APPROPRIATIONS AND TRANSFERS FROM THE MARIJUANA TAX CASH FUND (INCLUDING THE LONG BILL AND OTHER LEGISLATION)			
	FY 2019-20 APPROPRIATIONS	FY 2020-21 APPROPRIATIONS	ANNUAL CHANGE
Data collection and analysis (S.B. 13-283)	247,791	194,285	(53,506)
Enhanced marijuana data collection through Rocky Mountain Poison and Drug	60,100	60,100	0
Executive Director's Office, Personal Services	0	9,947	9,947
Retail marijuana health research grants	558,840	8,103	(550,737)
School Nurse Program (H.B. 19-1203)	3,000,000	0	(3,000,000)
Marijuana lab certification	1,121,769	0	(1,121,769)
Indirect cost assessments and centrally appropriated amounts not accounted for above	<u>2,616,696</u>	<u>2,469,196</u>	<u>(147,500)</u>
<b>Subtotal: Public Health and Environment</b>	<b>31,073,446</b>	<b>20,129,803</b>	<b>(10,943,643)</b>
<b>Public Safety:</b>			
Black market marijuana interdiction	3,153,932	3,205,227	51,295
Division of Criminal Justice - Study of the impacts of the legalization of retail marijuana (S.B. 13-283/S.B. 16-191), and Law Enforcement Assistance Grant Program (H.B. 18-1020)	1,651,201	1,163,406	(487,795)
Juvenile diversion programs	400,000	400,000	0
State Patrol training academy	0	150,000	150,000
Public Safety Intelligence Support Related to the Illegal Sale and Diversion of Marijuana	76,775	77,611	836
Law Enforcement, Public safety, and Criminal Justice Information Sharing Grant Program	500,000	0	(500,000)
Reserve Peace Officer Academy Grant Program (S.B. 17-096)	16,224	0	(16,224)
Indirect cost assessments and centrally appropriated amounts not accounted for above	<u>1,105,987</u>	<u>1,079,209</u>	<u>(26,778)</u>
<b>Subtotal: Public Safety</b>	<b>6,904,119</b>	<b>6,075,453</b>	<b>(828,666)</b>
<b>Revenue:</b>			
Appropriations to Department of Revenue	<u>1,278,416</u>	<u>1,063,130</u>	<u>(215,286)</u>
<b>Subtotal: Public Safety</b>	<b>1,278,416</b>	<b>1,063,130</b>	<b>(215,286)</b>
<b>Transportation:</b>			
Marijuana impaired driving campaign	950,000	450,000	(500,000)
Impaired driving campaign	<u>1,000,000</u>	<u>0</u>	<u>(1,000,000)</u>
<b>Subtotal: Transportation</b>	<b>1,950,000</b>	<b>450,000</b>	<b>(1,500,000)</b>
<b>Total FY 2019-20 and FY 2020-21 Appropriations (including Long Bill and Other Legislation)</b>	<b>\$155,930,483</b>	<b>\$121,671,079</b>	<b>(\$34,259,404)</b>
<b>Statutory Transfers:</b>			
Transfer to General Fund (HB 20-1401)	\$0	\$136,989,750	\$136,989,750
Transfer to Pay for Success Contracts Fund (HB 18-1323)	1,717,764	1,725,066	7,302
Transfer to State Public School Fund (HB 20-1418)	0	2,500,000	2,500,000
Transfer to High Cost Special Education Trust Fund (SB 19-066)	2,500,000	0	(2,500,000)
Transfer from Marijuana Cash Fund to MTCF to support CBI Task Force (SB 19-213)	<u>(914,416)</u>	<u>(890,901)</u>	<u>23,515</u>
<b>Total Statutory Transfers</b>	<b>\$3,303,348</b>	<b>\$140,323,915</b>	<b>\$137,020,567</b>
<b>Total Appropriations and Transfers from the Marijuana Tax Cash Fund</b>	<b>\$159,233,831</b>	<b>\$261,994,994</b>	<b>\$102,761,163</b>

# J. 2020 SUPPLEMENTAL ADJUSTMENTS TO APPROPRIATIONS FOR FY 2017-18 AND 2018-19

CAPITAL APPROPRIATIONS					
	TOTAL FUNDS	CAPITAL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
<b>FY 2017-18</b>					
HB 20-1259	\$1,600,000	\$1,600,000	\$0	\$0	\$0
<b>TOTAL FY 2017-18</b>	<b>\$1,600,000</b>	<b>\$1,600,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

OPERATING APPROPRIATIONS					
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
<b>FY 2018-19</b>					
Education					
HB 20-1360	\$0	\$0	\$0	\$0	\$0
Health Care Policy and Financing					
HB 20-1246	29,648,346	28,225,082	1,320,521	102,743	0
HB 20-1360	0	0	0	0	0
Higher Education					
HB 20-1360	0	0	0	0	0
Judicial					
HB 20-1249	(203,612)	(203,612)	0	0	0
<b>TOTAL FY 2018-19</b>	<b>\$29,444,734</b>	<b>\$28,021,470</b>	<b>\$1,320,521</b>	<b>\$102,743</b>	<b>\$0</b>

# K. INFORMATIONAL "(I)" NOTATIONS

The Long Bill and other legislation indicate when an amount is shown for informational purposes through an "(I)" notation. As defined in the Long Bill headnotes:

Where the letter "(I)" appears directly to the right of a figure or in a letternote referencing a figure, that amount is not an appropriation, nor does it limit the expenditure of such money. The figure is included for informational purposes only. It provides a record of funds anticipated to be expended and, in some instances, may indicate assumptions used relative to those funds in developing appropriated amounts.

The amounts that are annotated with an (I) in the FY 2020-21 Long Bill and other legislation are described below, followed by a table detailing these amounts by department and fund source.

**GENERAL FUND:** The (I) notation applies to a General Fund or General Fund Exempt amount when the amount is continuously appropriated to a state agency, or the agency is otherwise authorized by law to spend the money. This includes General Fund amounts annotated with the (I) in three departments:

- Treasury: Senior Citizen and Disabled Veteran Property Tax Exemption;
- Revenue: Old Age Heat and Fuel and Property Tax Assistance, Cigarette Tax Rebate, and Retail Marijuana Sales Tax Distributions to Local Governments; and
- Local Affairs: Payments for Volunteer Firefighter Retirement Plans and Death and Disability Insurance.

**CASH FUNDS:** The (I) notation applies to a cash funds amount when the amount is continuously appropriated to a state agency, or the agency is otherwise authorized by law to spend the money. The most significant amounts that are annotated with the (I) include:

- Cash funds overseen by the State Transportation Commission;
- Fees collected by state institutions of higher education;
- Local Government Mineral and Energy Impact grants and disbursements in the Department of Local Affairs;
- Highway Users Tax Funds distributed to local governments through the Department of Treasury; and
- Old Age Pension allocations and the local share of funding for various social services programs in the Department of Human Services.

**REAPPROPRIATED FUNDS:** The (I) notation applies to a reappropriated funds amount when it is continuously appropriated to a state agency, the agency is otherwise authorized by law to spend the money, or when the underlying federal funds source is informational. The largest amount that is annotated with the (I) is for workers compensation claims in the Department of Personnel.

**FEDERAL FUNDS:** Most federal funds in the Long Bill are annotated with an (I). However, some federal grants that are administered by the Departments of Human Services and Public Health and Environment are appropriated by the General Assembly pursuant to federal law. In addition, there are federal funds that require state matching funds (e.g., the Medicaid program), and the associated General Fund or cash funds amounts are annotated with an "(M)" or "(H)" in the Long Bill. With some exceptions, these annotations require the associated state funding to be reduced if the amount of available federal funding changes. Thus, these federal amounts are not considered informational.

The table below summarizes, by department and bill, those appropriations annotated with the (I).

SUMMARY OF FY 2020-21 "(I)" NOTES

		TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	PERCENT OF OPERATING BUDGET (I) NOTATIONS
OPERATING BUDGET							
Agriculture	H.B. 20-1360	\$5,820,686	\$0	\$1,871,581	\$0	\$3,949,105	0.1%
Corrections	H.B. 20-1360	31,134,650	0	21,447,188	0	9,687,462	0.5%
Education	H.B. 20-1360	646,608,676	0	6,921,362	20,100,000	619,587,314	
	H.B. 20-1379	(41,190)	0	(41,190)	0	0	
	H.B. 20-1418	<u>155,493,782</u>	<u>0</u>	<u>(2,500,000)</u>	<u>0</u>	<u>157,993,782</u>	
Subtotal - Education		<b>802,061,268</b>	<b>0</b>	<b>4,380,172</b>	<b>20,100,000</b>	<b>777,581,096</b>	13.4%
Governor	H.B. 20-1360	28,736,027	0	22,162,210	0	6,573,817	
	HB 20-1399	<u>(8,362,210)</u>	<u>0</u>	<u>(8,362,210)</u>	<u>0</u>	<u>0</u>	
Subtotal - Governor		<b>20,373,817</b>	<b>0</b>	<b>13,800,000</b>	<b>0</b>	<b>6,573,817</b>	0.3%
Health Care Policy and Financing	H.B. 20-1360	312,640,105	0	16,268,874	0	296,371,231	
	S.B. 20-033	50,000	0	0	0	50,000	
	H.B. 20-1384	<u>(650,071)</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>(650,071)</u>	
Subtotal - Health Care Policy and Financing		<b>312,040,034</b>	<b>0</b>	<b>16,268,874</b>	<b>0</b>	<b>295,771,160</b>	5.2%
Higher Education	H.B. 20-1360	496,611,182	0	470,708,748	51,958	25,850,476	8.3%
Human Services	H.B. 20-1360	617,389,278	0	287,097,554	2,084,393	328,207,331	
	S.B. 20-162	<u>91,039</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>91,039</u>	
Subtotal - Human Services		<b>617,480,317</b>	<b>0</b>	<b>287,097,554</b>	<b>2,084,393</b>	<b>328,298,370</b>	10.3%
Judicial <sup>2</sup>	H.B. 20-1360	46,086,067	0	41,603,063	58,004	4,425,000	0.8%
Labor and Employment	H.B. 20-1360	158,231,953	0	8,210,619	5,201,819	144,819,515	
	H.B. 20-1379	<u>(1,140,198)</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>(1,140,198)</u>	
Subtotal - Labor and Employment		<b>157,091,755</b>	<b>0</b>	<b>8,210,619</b>	<b>5,201,819</b>	<b>143,679,317</b>	2.6%
Law	H.B. 20-1360	7,079,359	0	4,328,584	380,540	2,370,235	
	H.B. 20-1379	<u>(48,742)</u>	<u>0</u>	<u>(48,742)</u>	<u>0</u>	<u>0</u>	
Subtotal - Law		<b>7,030,617</b>	<b>0</b>	<b>4,279,842</b>	<b>0</b>	<b>0</b>	0.1%
Legislature	H.B. 20-1360	0	0	0	0	0	0.0%
Local Affairs	H.B. 20-1360	264,506,180	4,375,000	178,174,080	0	81,957,100	
	H.B. 20-1399	<u>(3,417,658)</u>	<u>0</u>	<u>(5,127,850)</u>	<u>1,710,192</u>	<u>0</u>	
Subtotal - Local Affairs		<b>261,088,522</b>	<b>4,375,000</b>	<b>173,046,230</b>	<b>1,710,192</b>	<b>81,957,100</b>	4.4%
Military and Veterans Affairs	H.B. 20-1360	120,295,436	0	0	157,862	120,137,574	2.0%
Natural Resources	H.B. 20-1360	51,961,943	0	25,303,009	0	26,658,934	0.9%
Personnel	H.B. 20-1360	61,791,788	0	1,848,255	59,943,533	0	1.0%
Public Health and	H.B. 20-1360	295,062,527	0	600,000	0	294,462,527	
	S.B. 20-057	<u>2,197</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>2,197</u>	
Subtotal - Public Health and Environment		<b>295,064,724</b>	<b>0</b>	<b>600,000</b>	<b>0</b>	<b>294,464,724</b>	4.9%
Public Safety	H.B. 20-1360	93,335,612	0	19,445,216	3,972,420	69,917,976	1.6%
Regulatory Agencies	H.B. 20-1360	21,067,788	0	19,625,106	0	1,442,682	0.4%
Revenue	H.B. 20-1360	74,234,546	33,800,122	39,397,911	0	1,036,513	1.2%
State	H.B. 20-1360	3,864,742	0	3,864,742	0	0	0.1%
Transportation	H.B. 20-1360	1,945,732,397	0	1,309,139,807	7,014,909	629,577,681	
	H.B. 20-1153	<u>52,980</u>	<u>0</u>	<u>52,980</u>	<u>0</u>	<u>0</u>	
Subtotal - Transportation		<b>1,945,785,377</b>	<b>0</b>	<b>1,309,192,787</b>	<b>7,014,909</b>	<b>629,577,681</b>	32.5%
Treasury	H.B. 20-1360	795,628,090	334,612,826	389,531,426	71,483,838	0	
	H.B. 20-1379	<u>(225,000,000)</u>	<u>(170,949,406)</u>	<u>0</u>	<u>(54,050,594)</u>	<u>0</u>	
Subtotal - Treasury		<b>570,628,090</b>	<b>163,663,420</b>	<b>389,531,426</b>	<b>17,433,244</b>	<b>0</b>	9.5%
<b>TOTAL – OPERATING BUDGET</b>		<b>\$5,994,848,961</b>	<b>\$201,838,542</b>	<b>\$2,851,522,323</b>	<b>\$118,108,874</b>	<b>\$2,823,379,222</b>	<b>100.0%</b>
<b>CAPITAL TOTAL</b>	H.B. 20-1360	\$37,708,160	\$0	\$2,210,704	\$0	\$35,497,456	

# SUMMARY OF FY 2020-21 "(I)" NOTES

	TOTAL FUNDS	GENERAL FUND <sup>1</sup>	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	PERCENT OF OPERATING BUDGET (I) NOTATIONS
GRAND TOTAL (I) NOTATIONS: OPERATING AND CAPITAL CONSTRUCTION BUDGETS						
<b>GRAND TOTAL</b>	<b>\$6,032,557,121</b>	<b>\$201,838,542</b>	<b>\$2,853,733,027</b>	<b>\$118,108,874</b>	<b>\$2,858,876,678</b>	

<sup>1</sup> Includes General Fund Exempt.

<sup>2</sup> The annotation on the department total in H.B. 20-1360 differs due to a technical error.

The table below reflects operating budget appropriations with (I) notations as a percentage of the total state operating budget for FY 2020-21. For FY 2020-21, informational funds represent 18.7 percent of all operating appropriations, consisting primarily of cash funds and federal funds.

FY 2020-21 OPERATING BUDGET APPROPRIATIONS AND INFORMATIONAL "(I)" NOTATIONS			
	OPERATING BUDGET APPROPRIATIONS	(I) NOTATION OPERATING BUDGET TOTALS	(I) NOTATION AMOUNTS AS PERCENT OF OPERATING APPROPRIATIONS
General Fund and General Fund Exempt	\$10,861,089,752	\$201,838,542	1.9%
Cash Funds	9,649,003,034	2,851,522,323	29.6%
Reappropriated Funds	1,527,430,586	118,108,874	7.7%
Federal Funds	9,946,281,692	2,823,379,222	28.4%
<b>TOTAL</b>	<b>\$31,983,805,064</b>	<b>\$5,994,848,961</b>	<b>18.7%</b>

# L. LETTERS REQUESTING INFORMATION FROM STATE DEPARTMENTS

Historically, the annual Long Bill included a number of footnotes that described the General Assembly's intent regarding an appropriation; placed a condition or limitation on an appropriation; explained any assumptions used in determining the specific amount of an appropriation; or requested information. However, pursuant to H.B. 08-1321 (Section 24-75-112 (2), C.R.S.), the Long Bill no longer contains footnotes that request information. In their place, the Joint Budget Committee submits requests for information to executive departments and the judicial branch via letters to the Governor, the Chief Justice, and other elected officials. Each request is associated with one or more specific Long Bill line item(s), and the requests have been prioritized by the Joint Budget Committee as required by Section 2-3-203 (3), C.R.S.

Copies of these letters are included in the following pages. The first of these attached letters is to the Governor and addresses all affected departments in alphabetical order, except those under the purview of the Chief Justice or other elected officials. Letters to the Chief Justice (Judicial Department), the Attorney General (Department of Law), the Secretary of State (Department of State), and the Treasurer (Department of the Treasury) follow in that order.

Responses to these requests for information are typically summarized in Joint Budget Committee staff briefing documents (available at [leg.colorado.gov/content/budget](http://leg.colorado.gov/content/budget)). Department submissions may also be requested in their entirety from the Legislative Library (email: [lcs.ga@state.co.us](mailto:lcs.ga@state.co.us); or telephone: (303) 866-4011).

# STATE OF COLORADO

SENATORS  
DOMINICK MORENO, VICE-CHAIR  
RACHEL ZENZINGER  
BOB RANKIN

REPRESENTATIVES  
DANEYA ESGAR, CHAIR  
JULIE MCCLUSKIE  
KIM RANSOM



STAFF DIRECTOR  
CAROLYN KAMPMAN

JOINT BUDGET COMMITTEE  
200 EAST 14TH AVENUE, 3RD FLOOR  
LEGISLATIVE SERVICES BUILDING  
DENVER, CO 80203  
TELEPHONE 303-866-2061  
<http://leg.colorado.gov/agencies/joint-budget-committee>

June 11, 2020

Hon. Jared Polis, Governor  
136 State Capitol  
Denver, CO 80203-1792

Dear Governor Polis:

The General Assembly recently finalized the FY 2020-21 Long Bill. Pursuant to Section 24-75-112 (2), C.R.S., the Long Bill footnotes no longer include requests for information. In lieu of such footnotes, the Joint Budget Committee respectfully submits the following requests for information. These requests are associated with specific Long Bill line items, and each has its own details and deadlines. Consistent with the provisions of Section 2-3-203 (3), C.R.S., information requests have been prioritized within each department in the attached lists.

To assist our staff in organizing and tracking submissions, we would appreciate if the department would follow the protocol outlined in an attachment to this letter with respect to submitting hard copies and electronic responses. The Committee requests that the department comply with these requests for information to the fullest extent possible.

Please notify us by July 15, 2020 if the department does not intend to comply with any requests.

Sincerely,

A handwritten signature in black ink, appearing to read "Daneya Esgar".

Representative Daneya Esgar  
Chair

cc:  
Executive Agency Directors  
Lauren Larson, Office of State Planning and Budgeting  
Carolyn Kampman, Staff Director, Joint Budget Committee

**Attachment**  
**Requested Format for Responses to Legislative Requests for Information**

Please submit both hard (paper) copies and electronic copies of request for information (RFI) responses as follows:

- Hard copies: One (1) hard copy should be delivered by the requested due-date to the Joint Budget Committee (JBC) offices at 200 East 14th Ave., Denver, 3rd Floor.
- Electronic copies: An electronic copy of all paper submissions should also be submitted. This should be sent by email to:
  - The JBC analyst(s) responsible for the specified budget area(s)
  - Jessi Neuberg ([jessi.neuberg@state.co.us](mailto:jessi.neuberg@state.co.us)) at the JBC offices
  - Legislative Council Staff at the following address: [lcs.ga@state.co.us](mailto:lcs.ga@state.co.us)

The Legislative Council Staff ([lcs.ga@state.co.us](mailto:lcs.ga@state.co.us)) will include the report in an electronic database (part of the Legislative Council Library) and will also ensure the report is distributed to other legislative committees, as specified in some of the RFIs.

- All submissions should include the following information:
  - Name of Department
  - Long Bill fiscal year to which the RFI is attached (FY 2020-21 for the RFIs listed in this letter)
  - Correct RFI number, as listed in this letter

Please include this information in the subject line for electronic submissions, as well as in the body of both electronic and hard copy submissions.

- Please use the following naming convention for your electronic attachments:

**"[Department] [fiscal year] [RFI Number]"**

For example, the attachment providing the response to RFI #5 in the Department of Health Care Policy and Financing would be entitled: **Health Care Policy and Financing FY 2019-20 RFI #5**.



# LEGISLATIVE REQUESTS FOR INFORMATION FOR FY 2020-21

## REQUESTS AFFECTING MULTIPLE DEPARTMENTS

- 1 Department of Corrections; Department of Human Services; Judicial Department; Department of Public Safety; and Department of Transportation -- State agencies involved in multi-agency programs requiring separate appropriations to each agency are requested to designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee, including prior year, request year, and three year forecasts for revenues into the fund and expenditures from the fund by agency. The requests should be sustainable for the length of the forecast based on anticipated revenues. Each agency is still requested to submit its portion of such request with its own budget document. This applies to requests for appropriation from: the Alcohol and Drug Driving Safety Program Fund, the Law Enforcement Assistance Fund, the Offender Identification Fund, the Persistent Drunk Driver Cash Fund, and the Sex Offender Surcharge Fund, among other programs.
- 2 Department of Education, Assistance to Public Schools, Categorical Programs; and Department of Higher Education, Division of Occupational Education, Distribution of State Assistance for Career and Technical Education pursuant to Section 23-8-102, C.R.S. -- The Department of Education is requested to work with the Department of Higher Education and to provide to the Joint Budget Committee information concerning the distribution of state funds available for each categorical program, excluding grant programs. The information for special education programs for children with disabilities, English language proficiency programs, public school transportation, career and technical education, and small attendance center aid is requested to include the following: (a) a comparison of the state funding distributed to each district or administrative unit for each program in fiscal year 2019-20 and the maximum allowable distribution pursuant to state law and/or State Board of Education rule; and (b) a comparison of the state and federal funding distributed to each district or administrative unit for each program in fiscal year 2018-19 and actual district expenditures for each program in fiscal year 2018-19. The information for special education programs for gifted and talented children is requested to include a comparison of the state funding distributed to each district or administrative unit for each program in fiscal year 2018-19 and actual district expenditures in fiscal year 2018-19.
- 3 Governor – Lieutenant Governor – State Planning and Budgeting, Office of State Planning and Budgeting; and Department of Public Safety, Division of Homeland Security and Emergency Management, Office of Emergency Management, Disaster Response and Recovery -- The Office of Emergency Management is requested to work with the Office of State Planning and Budgeting to provide a report to the Joint Budget Committee by November 1, 2020, concerning revenues credited to and expenditures made from the Disaster Emergency Fund in fiscal years 2017-18, 2018-19, and 2019-20. The report is requested to include the following: (a) amounts authorized to

be transferred to the Disaster Emergency Fund, by Executive Order and fund source; (b) amounts actually transferred to the Fund, by date and fund source; (c) actual expenditures from the Fund, by declared disaster emergency, (d) reimbursements credited to the Fund, by date and source, and (e) total fund balance and unencumbered fund balance.

- 4 Department of Health Care Policy and Financing, Executive Director's Office and Department of Higher Education, Governing Boards, Regents of the University of Colorado -- Based on agreements between the University of Colorado and the Department of Health Care Policy and Financing regarding the use of Anschutz Medical Campus Funds as the State contribution to the Upper Payment Limit, the General Assembly anticipates various public benefits. The General Assembly further anticipates that any increases to funding available for this program will lead to commensurate increases in public benefits. The University of Colorado and the Department of Health Care Policy and Financing are requested to submit a report to the Joint Budget Committee about the program and these benefits by October 1, 2020.
- 5 Department of Health Care Policy and Financing, Medical Services Premiums; Indigent Care Program, Children's Basic Health Plan Medical and Dental Costs; Department of Higher Education, Colorado Commission on Higher Education, Special Purpose, University of Colorado, Lease Purchase of Academic Facilities at Fitzsimons; Governing Boards, Regents of the University of Colorado; Department of Human Services, Division of Child Welfare, Tony Gramscas Youth Services Program; Office of Early Childhood, Division of Community and Family Support, Nurse Home Visitor Program; Department of Military and Veterans Affairs, Division of Veterans Affairs, Colorado State Veterans Trust Fund Expenditures; Department of Personnel, Division of Human Resources, Employee Benefits Services, H.B. 07-1335 Supplemental State Contribution Fund; Department of Public Health and Environment, Disease Control and Environmental Epidemiology Division, Administration, General Disease Control, and Surveillance, Immunization Operating Expenses; Special Purpose Disease Control Programs, Sexually Transmitted Infections, HIV and AIDS Operating Expenses, and Ryan White Act Operating Expenses; Prevention Services Division, Chronic Disease Prevention Programs, Oral Health Programs; Primary Care Office -- Each Department is requested to provide the following information to the Joint Budget Committee by October 1, 2020 for each program funded with Tobacco Master Settlement Agreement money: the name of the program; the amount of Tobacco Master Settlement Agreement money received and expended by the program for the preceding fiscal year; a description of the program including the actual number of persons served and the services provided through the program; information evaluating the operation of the program, including the effectiveness of the program in achieving its stated goals.
- 6 Department of Health Care Policy and Financing, Office of Community Living; Department of Human Services, Services for People with Disabilities, Regional Centers; and Department of Public Health and Environment, Health Facilities and Emergency Medical Services Division, Health Facilities Division -- The Departments are requested to provide by November 1 of each fiscal year, the status of the implementation of Regional Center Task Force recommendations.

- 7 Department of Corrections, Management; and Institutions; Department of Higher Education, Governing Boards, Regents of the University of Colorado; and Department of Human Services, Office of Behavioral Health, Mental Health Institutes -- The Departments are requested to work together to explore strategies to increase the ability of the Department of Human Services and the Department of Corrections to recruit and retain the most competent and desirable candidates to provide psychiatric care at the Mental Health Institutes and state prison facilities. These strategies may include, but not be limited to:
  - Expanding the academic affiliation with the University of Colorado School of Medicine to include an option for academic promotion, teaching, and research opportunities for psychiatrists recruited to the Mental Health Institutes and the Department of Corrections in an effort to benefit all, and to evaluate additional opportunities for medical student and resident clinical experiences in state psychiatric and correctional facilities;
  - Increasing the utilization of tele psychiatry; and
  - Improving collaboration between the University of Colorado School of Medicine Department of Psychiatry, the Mental Health Institutes, and the Department of Corrections in recruiting, hiring, and retaining qualified psychiatrists with forensic and correctional expertise.

The Department of Human Services is requested to submit a report by October 1, 2020, describing the status of these discussions, any plans to implement new recruitment and retention strategies, the estimated fiscal impact of implementing such strategies, and any potential actions the General Assembly should consider taking to support successful implementation of such strategies.

## DEPARTMENT OF AGRICULTURE

- 1 Department of Agriculture, Colorado State Fair, State Fair Facilities Maintenance -- The Department is requested to provide by November 1, 2020, a report on facility maintenance projects for the Colorado State Fairgrounds. This report should include the following for each facility with planned maintenance: facility name, the type and nature of maintenance, the anticipated cost of the maintenance, the expenditures to-date on the maintenance, and the anticipated completion date.

## DEPARTMENT OF CORRECTIONS

- 1 Department of Corrections, Institutions, Mental Health Subprogram -- It is requested that the Department of Corrections submit a report to the House Judiciary Committee and the Senate Judiciary Committee by January 31, 2021, detailing progress related to the mental health unit at the Centennial Correctional Facility.
- 2 Department of Corrections, Community Services, Community Reentry Subprogram, Work Release Program -- It is requested that the Department of Corrections submit a report to the Joint

Budget Committee by November 1 of each year detailing progress related to the work release program.

## DEPARTMENT OF EDUCATION

- 1 Department of Education, Assistance to Public Schools, Public School Finance, State Share of Districts' Total Program Funding -- The Department is requested to provide to the Joint Budget Committee, on or before November 1, 2019, information concerning the Colorado Preschool Program. The information provided is requested to include the following for fiscal year 2018-19: (a) data reflecting the ratio of the total funded pupil count for the Program to the total funded pupil count for kindergarten; (b) data indicating the number of three-year-old children who participated in the Program; (c) data indicating the number of children who participated in the Program for a full-day rather than a half-day; and (d) the state and local shares of total program funding that are attributable to the Program.
- 2 Department of Education, Assistance to Public Schools, Grant Programs, Distributions, and Other Assistance -- The Department is requested to provide information to the Joint Budget Committee by November 1, 2020, concerning the allocation of funding to eligible boards of cooperative services (BOCES) pursuant to Section 22-2-122 (3), C.R.S. Specifically, the Department is requested to detail the sources of funds and the allocations made to each BOCES in fiscal years 2018-19 and 2019-20.

## DEPARTMENT OF HEALTH CARE POLICY AND FINANCING

- 1 Department of Health Care Policy and Financing, Executive Director's Office -- The Department is requested to submit monthly Medicaid expenditure and caseload reports on the Medical Services Premiums, behavioral health capitation, and the intellectual and developmental disabilities line items to the Joint Budget Committee, by the fifteenth or first business day following the fifteenth of each month. The Department is requested to include in the report the managed care organization caseload by aid category. The Department is also requested to provide caseload and expenditure data for the Children's Basic Health Plan, the Medicare Modernization Act State Contribution Payment, and the Old Age Pension State Medical Program within the monthly report. The Department is also requested to include in the report the number of applications and the number of approvals for new intermediate care facilities for individuals with intellectual disabilities, including the number of beds and the cost of those beds.
- 2 Department of Health Care Policy and Financing, Medical Services Premiums, Medical and Long-Term Care Services for Medicaid Eligible Individuals -- The Department is requested to submit a report by February 15, 2021 on utilization management reviews of health maintenance activities within the participant directed service delivery models. The report should include a discussion of the key criteria used for determining authorizations and the evidence basis for the criteria, a summary of any changes in utilization trends with the implementation of utilization management,

the estimated fiscal impact of changes in utilization trends, a summary of trends in appeals, and a summary of stakeholder feedback including post implementation.

- 3 Department of Health Care Policy and Financing, Medical Services Premiums -- The Department is requested to submit reports by November 1, 2020 and 2021 on the actual savings achieved by all initiatives that the Department projected would achieve savings in the FY 2019-20 budget request.
- 4 Department of Health Care Policy and Financing, Other Medical Services, Public School Health Services -- The Department is requested to submit a report by November 1 of each year to the Joint Budget Committee on the services that receive reimbursement from the federal government under the S.B. 97-101 public school health services program. The report is requested to include information on the type of services, how those services meet the definition of medical necessity, and the total amount of federal dollars that were distributed to each school under the program. The report should also include information on how many children were served by the program.

## DEPARTMENT OF HIGHER EDUCATION

- 1 Colorado Department of Higher Education, Colorado Commission on Higher Education, Administration --- The Department, in collaboration with the governing boards, is requested to explore the implications of eliminating the current College Opportunity Fund student stipend structure and instead funding the state governing boards solely through fee-for-service contracts. The Department is requested to submit a report by November 1, 2020, that addresses the following issues and any other concerns it believes are relevant:
  - What administrative processes and costs at the state and institutional level are driven by the current student stipend structure?
  - How would eliminating the requirement that students apply for stipends affect these processes? Would there be costs or savings associated with such a change?
  - How does the current system affect students and families? How would changing it affect them?
  - If the state wished to transition away from the current system, how much time would be required to modify accounting, reporting, and other systems to achieve this? What outreach or education would be required?
  - One of the benefits of the current system is that it informs students about state support for higher education. Could some other notification on student bills provide the same benefit?
  - Statutes on concurrent enrollment, early college, and similar programs indicate that higher education institutions are supported for their components of these programs through student stipend payments, while local education providers receive per pupil operating funds. Changes to the higher education funding model are likely to reduce the significance of postsecondary student enrollment in the state higher education funding structure. Eliminating the COF stipend would make this change more visible. Is this a concern? If so, does the Department of Higher Education, after consulting with the Department of



Education, school districts, and concurrent enrollment providers, have any suggestions for addressing this?

- Currently, students at some private institutions who qualify for financial aid receive a COF stipend for students attending private institutions. Could this funding be moved into the state's financial aid system? Does the Department have any related concerns?
- 2 Department of Higher Education, Colorado Commission on Higher Education, Administration - The Department is requested to submit a report by November 1 of each year demonstrating that its annual funding request for centrally-appropriated amounts is similar to the amount that would be provided if Department staff were enrolled in state plans. The Department is further requested to submit, as part of the annual request for common policy benefits adjustments, templates that reflect the benefit selection for each member of the Department's staff in a manner that will enable health benefits for these staff to be calculated consistent with common policy. The templates are expected to contain July data on health benefits actually selected by Department staff and relate staff benefit elections to comparable state plan premiums.
- 3 Colorado Department of Higher Education, Colorado Commission on Higher Education, Administration; and Governing Boards -- The Department is requested to coordinate the following annual data submissions to the Joint Budget Committee and Legislative Council Staff to support tuition, fee, and stipend revenue estimates used for appropriations and informational amounts included in the Long Bill.

By November 10, 2020: Submit budget data books for each of the governing boards that provide detail on education and general revenue and expenditures for each institution for the most recent actual year (FY 2019-20) and the current estimate year (FY 2020-21).

- Include estimate-year FY 2020-21 full time equivalent (FTE) enrollment data for resident undergraduate and graduate students and non-resident undergraduate and graduate students, in addition to actual year FY 2019-20 student FTE data. The FY 2020-21 student FTE estimates should be those used to develop the FY 2020-21 revenue and expenditure estimates in the data books.
- Identify actual FY 2019-20 and budgeted FY 2020-21 student FTE eligible for the College Opportunity Fund (COF) stipend in the budget data book submission.
- The Department is requested to provide separately the actual and estimated revenue from mandatory fees using the definitions established by the Department of Higher Education for mandatory fees.

By December 15, 2020: Submit fall 2020 student FTE census data. This should include resident undergraduate and graduate and non-resident undergraduate and graduate FTE figures for each governing board and institutional break-outs for those governing boards that oversee multiple institutions.

By February 15, 2021: Submit revised estimate year FY 2020-21 and request year FY 2021-22 revenue and enrollment data for each governing board, along with the comparable FY 2019-20 actual data for context. Include data at the institutional level for the University of Colorado and Colorado State University Systems.

- For each year, include FTE enrollment and revenue estimates for resident undergraduate and graduate students and non-resident undergraduate and graduate students. *The data should clearly separate revenue associated with each of these four categories, where applicable.*
  - Include annotations explaining assumptions, including tuition and fee rate and enrollment assumptions for the FY 2021-22 request year.
  - Consistent with the requirements of Section 23-18-202 (2)(a)(I), C.R.S., also include an update on the number of student FTE estimated to be eligible for COF stipends in FY 2021-22 based on the most recent data available (different from the figures used to establish initial stipend appropriations).
  - Include actual and estimated revenue from mandatory fees using the definitions established by the Department of Higher Education for mandatory fees.
- 4 Department of Higher Education, Colorado Commission on Higher Education, Administration - The Department should continue its efforts to provide data on the efficiency and effectiveness of state financial aid in expanding access to higher education for Colorado residents. The Department is requested to provide to the Joint Budget Committee by December 1 of each year an evaluation of financial aid programs, which should include, but not be limited to: (1) an estimate of the amount of federal, institutional, and private resources (including tax credits) devoted to financial aid; (2) the number of recipients from all sources; (3) information on typical awards; and (4) the typical debt loads of graduates. The Department is requested to provide more in-depth data on the financial aid awarded at the state's public institutions, by institution. This should include further information on the use of institutional aid, including the extent to which such aid is awarded to residents versus non-residents, for financial need versus merit, and the extent to which merit-based aid is awarded to students who qualify on the basis of need, whether or not the aid was classified as merit-based.
- 5 Department of Higher Education, Colorado Commission on Higher Education, Special Purpose, Tuition/Enrollment Contingency -- The Department is requested to provide information on the amount of Tuition Enrollment Contingency funds distributed to any governing board and whether the governing board complied with Colorado Commission on Higher Education tuition policy and intended limits on undergraduate rates expressed in Long Bill footnotes. This information, as it applies to actual expenditures in FY 2019-20 should be provided by November 1, 2020, and as it applies to actual expenditures in FY 2020-21 should be provided by November 1, 2021.

## DEPARTMENT OF HUMAN SERVICES

- 1 Department of Human Services, Office of Early Childhood, Early Intervention Services -- The Department is requested to submit annually, on or before January 1, a report to the Joint Budget Committee concerning caseload growth for early intervention services. The requested report should include the following information: (a) the total number of early intervention services performed compared to the projected amount of early intervention services; (b) the amount of funds expended in the fiscal year from July 1 through the time period when the report is created

compared to the projected spending; and (c) the amount of any expected gaps between the appropriation in the long bill and actual expenditures.

- 2 Department of Human Services, Office of Early Childhood, Child Care Assistance Program -- The Department is requested to submit annually, on or before January 1, a report to the Joint Budget Committee concerning costs for the Colorado Child Care Assistance Program. The requested report should include the following information: (a) the changes in direct services costs from the prior year due to inflation; (b) changes in direct services costs from the prior year due to quality; and (c) changes in cost due to changes to continuity from the previous year.
- 3 Department of Human Services, Division of Youth Services, Institutional Programs -- The Department is requested to submit a report by November 1 of each fiscal year, that includes the following monthly data for each State-owned and operated facility for the previous fiscal year:
  - Number of assaults by type (e.g. juvenile on staff, staff on juvenile, juvenile on juvenile);
  - The number and type of sexual assaults;
  - Number of homicides;
  - Number of suicides;
  - Number of new crimes reported to local police;
  - Number of direct care staff at each facility (CYSO I and II);
  - Ratio of direct care staff (CYSO I and II) to youth;
  - Direct care staffing vacancies by type (e.g. CYSO I);
  - Average length of service for direct care staff (CYSO I and II);
  - Number of hours of missed work by all direct care facility staff and reason for absence (e.g. injury on the job, sick leave, planned absence, unplanned absence, vacation);
  - Amount of overtime hours worked by direct care staff and purpose (e.g. covering a shift for an absent co-worker) at each facility;
  - Amount of temporary help hours used for direct care purposes;
  - The number and type of worker's compensation injuries that occurred; and
  - Amount of time missed by employees due to work-place injuries.
- 4 Department of Human Services, Totals -- The Department is requested to submit a report concerning the status of federal Temporary Assistance for Needy Families (TANF) funds. The requested report should include the following: (a) an analysis of the TANF Long Term Reserve, including estimated TANF funds available for appropriation, estimated TANF appropriations by Long Bill line item, and the estimated closing Long Term Reserve balance, for the most recent actual fiscal year, the current fiscal year, and the request fiscal year; (b) an analysis of the TANF maintenance of effort (MOE) payments, showing the actual and forecasted MOE expenditures, by program, for the most recent actual fiscal year, the current fiscal year, and the request fiscal year; and (c) an analysis of the counties' TANF reserve balances that includes, for each county, for the most recent actual fiscal year, the starting TANF Reserve Account balances for the Works Program, Title XX, and Child Care Development Fund accounts, the annual TANF allocation,



the total expenditures, the net transfers to child care and child welfare, any amounts remitted to the state, and the closing reserve balance for all county TANF accounts. The report should be provided to the Joint Budget Committee annually on or before November 1. An update to this information reflecting data at the close of the federal fiscal year should be provided to the Joint Budget Committee annually on or before January 1.

- 5 Department of Human Services, Totals -- The Department is requested to submit annually, on or before November 1, a report to the Joint Budget Committee concerning federal Child Care Development Funds. The requested report should include the following information related to these funds for the actual, estimate, and request years: (a) the total amount of federal funds available and anticipated to be available to Colorado, including funds rolled forward from previous state fiscal years; (b) the amount of federal funds expended, estimated, or requested to be expended for these years by Long Bill line item; (c) the amount of funds expended, estimated, or requested to be expended for these years, by Long Bill line item where applicable, to be reported to the federal government as either maintenance of effort or matching funds associated with the expenditure of federal funds; and (d) the amount of funds expended, estimated, or requested to be expended for these years that are to be used to meet the four percent federal requirement related to quality activities and the federal requirement related to targeted funds. An update to the information on the amount of federal funds anticipated to be available and requested to be expended by Long Bill line item should be provided to the Joint Budget Committee annually on or before January 15.
- 6 Department of Human Services, Office of Early Childhood, Division of Community and Family Support -- The Department is requested to submit a report annually, on or before November 1, updating the Joint Budget Committee on the recent expansion of The Incredible Years® (IY) programs initially funded in the Long Bill in FY 2018-19. Rigorously researched IY programs support parenting skills (Preschool Basic Parent Program), teacher training (Teacher Classroom Management), and children's social-emotional skill development (Dinosaur School). The report should include a listing of the organizations that have applied for and received funding; the specific IY program(s) delivered; and information regarding how IY is being supported by the Implementation Partner through: (a) Community readiness and entity selection; (b) Training, coaching and fidelity monitoring; (c) Local Implementation Team development; (d) Entity-specific and statewide process and outcomes evaluation; and (e) On-going quality improvements to ensure high-quality scale and sustainability. The report should also include information on any changes made that affect the nature of the program.
- 7 Department of Human Services, Adult Assistance Programs, Community Services for the Elderly -- The Department is requested to submit a report by November 1 of each year on Older Americans Act Funds received and anticipated to be received, and the match requirements for these funds. The report should also specify the amount of funds, if any, that were transferred

between the State Funding for Senior Services line item and the Older Americans Act Programs line item in the prior actual fiscal year to comply with federal match requirements.

- 8 Department of Human Services, Division of Youth Services, Administration -- The Division is requested to continue its efforts to provide outcome data on the effectiveness of its programs. The Division is requested to provide to the Joint Budget Committee, by January 1 of each fiscal year, a report evaluating Division placements, community placements, and nonresidential placements. The evaluation should include, but not be limited to, the number of juveniles served, length of stay, and recidivism data per placement.
- 9 Department of Human Services, Division of Youth Services, Community Programs, S.B. 91-094 Programs -- The Department is requested to submit to the Joint Budget Committee no later than November 1 of each fiscal year a report that includes the following information by judicial district and for the state as a whole: (1) comparisons of trends in detention and commitment incarceration rates; (2) profiles of youth served by S.B. 91-094; (3) progress in achieving the performance goals established by each judicial district; (4) the level of local funding for alternatives to detention; and (5) identification and discussion of potential policy issues with the types of youth incarcerated, length of stay, and available alternatives to incarceration.
- 10 Department of Human Services, Adult Assistance Programs -- The Department is requested to submit annually, on or before November 1, a report to that provides the cost to eliminate waitlists for each service type for services provided to older adults by the state's Area Agencies on Aging.
- 11 Department of Human Services, Division of Child Welfare -- The Department is requested to provide to the Joint Budget Committee, by November 1 of each fiscal year, information on county child welfare worker staffing, including county data on: (1) caseload ratios by county; (2) actual staffing levels; (3) new hires funded by the child welfare block grant; (4) new hires funded through county level child welfare staffing funding; (5) workload and funding allocation comparisons by county for each type of block allocation; (6) performance metrics concerning the training of and support provided to case workers; (7) how each of the previous data categories support successful outcomes for children served in the child welfare system; and (8) a description of each outcome and how it is measured.
- 12 Department of Human Services, Division of Child Welfare, Child Welfare Services -- The Department is requested to provide to the Joint Budget Committee, by November 1 of each fiscal year, the following information for each county:
  - The actual use of funds allocated to counties through the child welfare services, county staffing, and core services block allocations, including data on previous fiscal year expenses and children service by funding category. At minimum such data should include the following: (a) program services expenditures, including the cost of services delivered through county staff and the cost of services delivered through contract providers; and the average

cost per open involvement per year; (b) out-of-home placement care expenditures and the average cost per child per day; and (c) subsidized adoption expenditures and the average payment per child per day.

- The forecast cost, by county, of fully funding the child welfare system in the current and subsequent fiscal years as determined by the funding model required by S.B. 18-254 (Child Welfare Reforms).

- 13 Department of Human Services, Division of Child Welfare -- The Department is requested to provide to the Joint Budget Committee, by November 1 of each fiscal year, information concerning the gross amount of payments to child welfare service providers, including amounts that were paid using child welfare block or core services allocation funds and any other revenue source. The Department is requested to identify amounts, by source, for the last two actual fiscal years.
- 14 Department of Human Services, All Divisions -- The Department is requested to provide, by November 1 of each fiscal year, a list of each transfer made in the previous fiscal year pursuant to Section 24-75-106, C.R.S. This information should include: the line item in which the funds originated, the line item to which the funds were transferred, the amount of each transfer, the fund split for each transfer, and the purpose of the transfer.
- 15 Department of Human Services, Division of Child Welfare -- The Department is requested to provide by November 1 of each fiscal year, a list of each transfer made in the previous fiscal year between division line items as authorized by a Long Bill footnote pursuant to FY 2017-18 Long Bill Footnote 39. This information should include: the line item in which the funds originated, the line item to which the funds were transferred, the amount of each transfer, the fund split for each transfer, and the purpose of the transfer.
- 16 Department of Human Services, Division of Child Welfare, Promoting Permanency -- The Department is requested to provide to the Joint Budget Committee, by November 1 of each fiscal year, an evaluation report concerning programs funded through this line item.
- 17 Department of Human Services, Division of Child Welfare, Hotline for Child Abuse and Neglect -- The Department is requested to provide to the Joint Budget Committee, by November 1 of each fiscal year, a report containing fiscal year comparisons of appropriate workload indicators for the child abuse and neglect hotline reporting system.
- 18 Department of Human Services, Division of Child Welfare and Totals -- The Department is requested to provide a report to the Joint Budget Committee by October 1 of each fiscal year concerning the amount of federal revenues earned by the State for the previous fiscal year pursuant to Title IV-E of the Social Security Act, as amended; the amount of money that was expended for the previous state fiscal year, including information concerning the purposes of the expenditures;

and the amount of money that was credited to the Excess Federal Title IV-E Reimbursements Cash Fund created in Section 26-1-111 (2)(d)(II)(C), C.R.S.

- 19 Department of Human Services, Services for People with Disabilities, Regional Centers for People with Developmental Disabilities -- The Department is requested to provide by November 1 of each fiscal year, information regarding transitions and readmissions to the Regional Centers for each of the past eighteen months. As part of the response, the Department should include: the number of individuals that have been transitioned from each Regional Center and the setting to which they were transitioned for each month, how many of these individuals have been readmitted to a Regional Center and when, the number of monthly admissions to each Regional Center, the definition of a successful transition, and the monthly number of successful transitions.
- 20 Department of Human Services, Services for People with Disabilities, Regional Centers for People with Developmental Disabilities -- The Department is requested to provide by November 1 of each fiscal year, the monthly census for each Regional Center by licensure type since the beginning of the fiscal year, and annual cost per capita for each Regional Center by licensure type, including the Regional Center costs for utilities, depreciation, indirect costs, and centrally appropriated personnel items.
- 21 Department of Human Services, Executive Director's Office, Special Purpose, Employment and Regulatory Affairs -- The Department is requested to provide to the Joint Budget Committee, by November 1 of each fiscal year, a report including aggregate data by program area and job classification for the previous five fiscal years, including, but not limited to: employee recruitment and retention activities; time-to-fill (positions) data; staff turn-over rates; and direct care professional to client ratios.
- 22 Department of Human Services, All Divisions -- The Department is requested to submit, on or before October 1, 2020, a budget neutral proposal for reorganizing the divisional and line item structure of the Long Bill.

## DEPARTMENT OF LABOR AND EMPLOYMENT

- 1 Department of Labor and Employment, Division Of Vocational Rehabilitation and Independent Living Services, Vocational Rehabilitation Programs -- The Department is requested to provide a report by November 1 of each year on the number of individuals receiving vocational rehabilitation services, including: a break-down by category of the number of individuals receiving services and the number for whom a determination is pending; the average cost by category of services; the projected fiscal year expenditures, and the projected balance of the State's federal vocational rehabilitation account. The Department is also requested to provide data on vocational rehabilitation employment outcomes.

- 2 Department of Labor and Employment, Division of Vocational Rehabilitation and Independent Living Services, Office of Independent Living Services -- The Department is requested to submit to the Joint Budget Committee, by November 1 of each year, its annual report on independent living services and outcomes. As part of this report, the Department is requested to include data on the distribution of state funds to independent living centers and the numbers of clients served.

## DEPARTMENT OF LOCAL AFFAIRS

- 1 Department of Local Affairs, Division of Housing -- The Department is requested to submit a report by September 1, 2020, concerning its affordable housing programs. The report should specifically address:
  - the projects funded in FY 2019-20 with appropriations for Affordable Housing Construction Grants and Loans pursuant to Section 24-32-721, C.R.S., and projects funded in FY 2019-20 with the appropriation for Housing Assistance for Persons Transitioning from the Criminal or Juvenile Justice Systems;
  - the per-unit costs of these projects for both state funds and other funds;
  - how the projects funded from the General Fund align with the goals outlined in the Department's FY 2014-15 budget request to "end homelessness for veterans and chronically homeless" and "ensure sufficient affordable housing for persons with the lowest incomes"; and what progress the State has made in achieving each of these goals; and
  - how the Marijuana Tax Cash Fund appropriation has been used for populations and services that are consistent with Section 39-28.8-501 (2)(b)(IV)(N), C.R.S.; and
  - how the appropriation for Housing Assistance for Persons Transitioning from the Criminal or Juvenile Justice Systems has been used for rental assistance and other support services consistent with Section 24-32-721 (4), C.R.S.
- 2 Department of Local Affairs, Division of Housing, Community and Non-Profit Services, Community Services, Low Income Rental Subsidies -- The Department is requested to submit a report by December 1, 2020, that summarizes monthly expenditures of General Fund appropriations in FY 2019-20 for rental subsidies for the Colorado Choice Transitions (CCT) program. The report should include the following associated data for each month in FY 2019-20:
  - the number of CCT clients leased up with State-funded housing vouchers;
  - the number of CCT clients searching for housing with a State-funded voucher;
  - the number of CCT clients leased up with federally-funded vouchers or federally-funded project-based rental assistance; and
  - the number of CCT clients searching for housing with federally-funded resources.

## DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

*None.*

## DEPARTMENT OF NATURAL RESOURCES

- 1 Department of Natural Resources, Division of Reclamation, Mining, and Safety, Inactive Mines, Program Costs -- The Division of Reclamation, Mining, and Safety is requested to include in its annual budget request a report detailing all expenditures made in the previous year from this line item. The report should include but not be limited to: (1) Non-project expenditures: (a) spending type, (b) FTE allocation, (c) total expenditure; and (d) fund sources and fund source splits. (2) Project expenditures: (a) project name; (b) project type; (c) geographic location; (d) period of work on-site; (e) total expenditure and FTE allocation; and (f) fund sources and fund source split. The Division is requested to include any other data points, details, or comments that more fully express or explain the expenditure experience from this line item.
- 2 Department of Natural Resources, Oil and Gas Conservation Commission, Program Costs -- The Department of Natural Resources is requested to include in its annual budget request a report on the performance of the risk-based inspection program. The report should provide information on the activities of the Facilities Integrity group, the inspection process for piping and flowlines, and the metrics used to measure the performance and effectiveness of the Facilities Integrity program.
- 3 Department of Natural Resources, Oil and Gas Conservation Commission, Plugging and Reclaiming Abandoned Wells -- The Oil and Gas Conservation Commission is requested to include in its annual budget request a report detailing all expenditures made in the previous year from this line item and an inventory of all known orphaned wells that are in the process of being plugged and reclaimed or remain to be plugged and reclaimed.
- 4 Department of Natural Resources, Oil and Gas Conservation Commission, Emergency Response -- The Oil and Gas Conservation Commission is requested to include in its annual budget request a report detailing all expenditures made in the previous year from this line item.
- 5 Department of Natural Resources, Oil and Gas Conservation Commission, Special Environmental Protection and Mitigation Studies -- The Oil and Gas Conservation Commission is requested to include in its annual budget request a report detailing all expenditures made in the previous year from this line item.
- 6 Department of Natural Resources, Division of Parks and Wildlife -- The Division of Parks and Wildlife is requested to provide the Joint Budget Committee with a report on Parks and Outdoor Recreation and Wildlife sources of revenue, as well as the expenditures of revenues by revenue type. The report should provide an analysis of lottery funds Great Outdoors Colorado Board Grants used for operations and capital projects. The report is requested to be submitted by November 1, 2020.



## DEPARTMENT OF PERSONNEL

- 1 Department of Personnel, Executive Director's Office, Payments to OIT -- The Department is requested to provide by November 1, 2020, the amount of funds eliminated from the Payments to OIT line item as a result of reducing the number of service units obtained from the Governor's Office of Information Technology for operating the Colorado Automotive Reporting System (CARS) after full replacement is achieved.
- 2 Department of Personnel, Division of Accounts and Control, Financial Operations and Reporting -- The State Controller is requested to provide by October 1, 2020, to the Joint Budget Committee, a report on uncommitted reserves that includes all cash funds, including those that are otherwise exempt from and unreported in the cash funds excess uncommitted reserves report required by Section 24-30-207, C.R.S.

## DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

- 1 Department of Public Health and Environment; Office of Health Equity, Disease Control and Environmental Epidemiology Division, Prevention Services Division. The Department is requested to provide the following information to the Joint Budget Committee every year beginning by November 1<sup>st</sup> 2020 for each program funded by Amendment 35 tax revenues: Name of the program, the amount of money received and expended by the program for the preceding fiscal year, a description of the program including the actual number of persons served and the services provided through the program, information evaluating the operation of the program including the effectiveness of the program in achieving its stated goals.
- 2 Department of Public Health and Environment; Disease Control and Epidemiology Division. The Department is requested to provide the following information to the Joint Budget Committee Biannually on August 1<sup>st</sup> and February 1<sup>st</sup> beginning August 1<sup>st</sup> 2020: Measles Mumps and Rubella (MMR) vaccination rates for the Kindergarten and first grade populations across the state, how much money was allocated, through state or federal resources, to each local public health agency specifically to address the issue of MMR vaccination rates. In FY 2020-21 the Joint Budget Committee approved an ongoing increase of \$1.5 million for local public health agencies to address MMR vaccination rates, should any dollars from this appropriation be used for any targeted populations or diseases other than kindergarten MMR this information should also be included in the report.

## DEPARTMENT OF PUBLIC SAFETY

- 1 Department of Public Safety, Division of Criminal Justice, Community Corrections, Community Corrections Placements, Correctional Treatment Cash Fund Residential Placements, and Community Corrections Facility Payments -- As part of its FY 2020-21 2021-22 budget request, the Department is requested to report actual average daily community corrections placements for

recently completed fiscal years with a level of detail compatible with the table in Long Bill footnote 93. This document should also report condition of probation placements. The Department is requested to update the report with year-to-date community corrections placements shortly after January 1, 2021. The January report should also include an estimated placements table for FY 2021-22. If the Department believes that a supplemental adjustment to the FY 2020-21 Community Corrections Placements appropriation is needed, the Department is requested to also submit an estimated placements table for FY 2020-21. If the Department estimates that the actual number of Community Corrections facility payments in either FY 2020-21 or FY 2021-22 will differ from the number on which the FY 2020-21 facility payments appropriation is based, the Department is requested to include that information in its January report. These estimates are not intended to be formal statistical forecasts, but informal estimates based upon year-to-date caseload, knowledge of facilities that are opening and closing or expanding and contracting, and upon other factors that influence the community corrections appropriations. The Department is requested to submit a brief narrative with the estimates.

- 2 Department of Public Safety, Colorado State Patrol, Information Technology Asset Maintenance -- The Department is requested to submit to the Joint Budget Committee an annual expenditure report on November 1 of each year. At a minimum, each report should include on-going 5-year expenditure estimates for the line item, any new contracts awarded, and the names of the vendors.

## DEPARTMENT OF REGULATORY AGENCIES

- 1 Department of Regulatory Agencies; Public Utilities Commission. The Department is requested to provide the following information to the Joint Budget Committee every year beginning by November 1<sup>st</sup> 2020: The number of pipeline incidents that have occurred under the jurisdiction of Gas Pipeline Safety Unit for the previous three fiscal years, the classification of pipelines in which those incidents have occurred, the degree of severity of incidents that have occurred, the status of hiring and number of FTE included within the Gas Pipeline Safety Unit.

## DEPARTMENT OF TRANSPORTATION

- 1 Department of Transportation, Construction, Maintenance, and Operations Division -- The Department is requested to submit, with its FY 2021-22 budget request, an analysis, based on data from CDOT projects, that compares CDOT's Alternative Delivery System (ADS, which includes CMGC and DB) and CDOT's Conventional Delivery System (CDS, which includes DBB-low bid). The analysis should compare the extent to which various forms of ADS and CDS are used on projects of various size, the extent to which bids are won by many or few members of CDOT's community of bidders, the extent to which bids are won by in-state and out-of-state bidders, the amount of bidding competition, the cost at contract award compared with final cost, the extent to which cost is altered by change orders originating with CDOT and by change orders resulting from contractor proposals, actual project duration, and the extent to which actual project duration exceeds planned duration. The Department is requested to describe how it chooses ADS or CDS



and illustrate with detail from at least two actual projects (preferably numeric detail) that allows readers to understand exactly how the decision was made. The Department is requested to explain how its publicly available data can be used to make valid comparisons of budgeted and actual total cost (including design costs) of ADS and CDS projects and illustrate with at least two actual projects. The Department is requested to survey a selection of bidders who primarily or exclusively bid on ADS projects or on CDS projects to discover why they do not bid or infrequently bid on projects offered under the other system.

- 2 Department of Transportation, Totals -- The Department is requested to submit, with its FY 2021-22 budget request, printed and electronic versions (transmission by email acceptable) of the following:
  - a. The draft one-sheet budget (also known as the “Revenue Allocation Plan”) on which the Long Bill request is based with an explanation that shows how the Long Bill request relates to the one-sheet budget;
  - b. A schedule or schedules showing, for each of the publishing issues that collectively show how the Administration Division request is derived from the prior year Administration Division appropriation, the incremental budget changes that make up that publishing issue;
  - c. Projected expenditures by division for all common-policy items, including common policies for total compensation, operating, and IT;
  - d. A schedule showing the projected revenues for FY 2021-22 on which the draft one-sheet budget and the Long Bill request are based, with revenue-source detail that is comparable to the detail in the Department's draft narrative budget (also known as the “Budget Allocation Plan”);
  - e. A schedule showing the most recent projection of revenues for FY 2020-21 in a form compatible with the revenue projection for FY 2021-22;
  - f. A schedule showing actual revenues received during FY 2018-19 and FY 2019-20 in a form compatible with the revenue projection for FY 2021-22;
  - g. Projected state HUTF revenue for FY 2020-21 that shows (1) the revenue sources and (2) the allocation of that revenue among counties, municipalities, and other recipients.
  - h. Actual revenue for the two most recently completed Fiscal Years of (1) the Construction, Maintenance, and Operations Division, (2) the Bridge Enterprise, and (3) the High-performance Transportation Enterprise.

# STATE OF COLORADO

SENATORS  
DOMINICK MORENO, VICE-CHAIR  
RACHEL ZENZINGER  
BOB RANKIN

REPRESENTATIVES  
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KIM RANSOM



STAFF DIRECTOR  
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JOINT BUDGET COMMITTEE  
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LEGISLATIVE SERVICES BUILDING  
DENVER, CO 80203  
TELEPHONE 303-866-2061  
<http://leg.colorado.gov/agencies/joint-budget-committee>

June 11, 2020

Hon. Nathan B. Coats, Chief Justice of the Colorado Supreme Court  
2 East 14th Avenue  
Denver, CO 80203

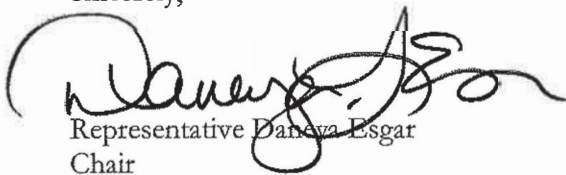
Dear Chief Justice Coats:

The General Assembly recently finalized the FY 2020-21 Long Bill. Pursuant to Section 24-75-112 (2), C.R.S., the Long Bill footnotes no longer include requests for information. In lieu of such footnotes, the Joint Budget Committee respectfully submits the following requests for information. These requests are associated with specific Long Bill line items, and each has its own details and deadlines. Consistent with the provisions of Section 2-3-203 (3), C.R.S., information requests have been prioritized within each department in the attached lists.

To assist our staff in organizing and tracking submissions, we would appreciate if the department would follow the protocol outlined in an attachment to this letter with respect to submitting hard copies and electronic responses. The Committee requests that the department comply with these requests for information to the fullest extent possible.

Please notify us by July 15, 2020 if the department does not intend to comply with any requests.

Sincerely,



Representative Daneya EsGAR  
Chair

cc:

Steven Vasconcellos, State Court Administrator  
Megan Ring, Colorado State Public Defender  
Thomas Raynes, Executive Director, Colorado District Attorneys' Council  
Carolyn Kampman, Staff Director, Joint Budget Committee

**Attachment**  
**Requested Format for Responses to Legislative Requests for Information**

Please submit both hard (paper) copies and electronic copies of request for information (RFI) responses as follows:

- Hard copies: One (1) hard copy should be delivered by the requested due-date to the Joint Budget Committee (JBC) offices at 200 East 14th Ave., Denver, 3rd Floor.
- Electronic copies: An electronic copy of all paper submissions should also be submitted. This should be sent by email to:
  - The JBC analyst(s) responsible for the specified budget area(s)
  - Jessi Neuberg ([jessi.neuberg@state.co.us](mailto:jessi.neuberg@state.co.us)) at the JBC offices
  - Legislative Council Staff at the following address: [lcs.ga@state.co.us](mailto:lcs.ga@state.co.us)

The Legislative Council Staff ([lcs.ga@state.co.us](mailto:lcs.ga@state.co.us)) will include the report in an electronic database (part of the Legislative Council Library) and will also ensure the report is distributed to other legislative committees, as specified in some of the RFIs.

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For example, the attachment providing the response to RFI #5 in the Department of Health Care Policy and Financing would be entitled: **Health Care Policy and Financing FY 2019-20 RFI #5**.

# LEGISLATIVE REQUESTS FOR INFORMATION FOR FY 2020-21

## JUDICIAL DEPARTMENT

- 1 Judicial Department, Office of the State Public Defender – The State Public Defender is requested to provide by November 1, 2020, a report concerning the Appellate Division's progress in reducing its case backlog, including the following data for FY 2019-20: the number of new cases; the number of opening briefs filed by the Office of the State Public Defender; the number of cases resolved in other ways; the number of cases closed; and the number of cases awaiting an opening brief as of June 30, 2020.
- 2 Judicial Department, Probation and Related Services – The State Court Administrator's Office is requested to provide by November 1 of each year a report on pre-release rates of recidivism and unsuccessful terminations and post-release recidivism rates among offenders in all segments of the probation population, including the following: adult and juvenile intensive supervision; adult and juvenile minimum, medium, and maximum supervision; and the female offender program. The Office is requested to include information about the disposition of pre-release failures and post-release recidivists, including how many offenders are incarcerated (in different kinds of facilities) and how many offenders return to probation because of violations.
- 3 Judicial Department, Trial Courts, District Attorney Mandated Costs – District Attorneys in each judicial district shall be responsible for allocations made by the Colorado District Attorneys' Council's Mandated Cost Committee. Any increases in this line item shall be requested and justified in writing by the Colorado District Attorneys' Council, rather than the Judicial Department, through the regular appropriation and supplemental appropriation processes. The Colorado District Attorneys' Council is requested to submit an annual report by November 1 detailing how the District Attorney Mandated Costs appropriation is spent, how it is distributed, and the steps taken to control these costs.
- 4 Judicial Department, Probation and Related Services, Offender Treatment and Services – The State Court Administrator's Office is requested to provide by November 1 of each year a detailed report on how this appropriation is used, including the amount spent on testing, treatment, and assessments for offenders.
- 5 Judicial Department, Probation and Related Services – The State Court Administrator's Office is requested to provide a report to the Joint Budget Committee by November 1, 2020, concerning the Judicial Department's use of private probation. It is requested that the report:
  - a. Evaluate the relative effectiveness of private probation and state probation for clients with similar characteristics, using suitable measures of effectiveness such as pre- and post-release

recidivism and unsuccessful terminations. To the extent possible, the report should examine the relative effectiveness of state and private probation for differing types of offenders. To the extent possible, it should examine the relative effectiveness of the various private probation providers. This analysis should be based on Colorado data

- b. Examine problems that arise with private probation and propose ways that these problems can be mitigated. If a problem cannot be mitigated, the report should discuss whether it is a serious problem and the reasons it cannot be mitigate.
- c. Explain why the number of clients on private probation has declined, including the extent to which the decline may reflect the growth of new probation practices, such as telephone reporting.
- d. Explain who makes the decision to place a client on state probation verses private probation and how those decisions are made.
- e. Propose ways to encourage the use of private probation, including ways to encourage private probation providers to begin supplying services in a Judicial District that lacks private probation providers.
- f. Describe and evaluate instances in which private probation providers in judicial districts have ended services.
- g. Evaluate the cost of providing private probation services and, based on estimates of cost, propose a suitable amount of monthly revenue that private probation providers should receive for private probation supervision.
- h. Estimate the number of probationers who could be effectively and safely placed on private probation if sufficient private probation providers were available.

# STATE OF COLORADO

SENATORS  
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STAFF DIRECTOR  
CAROLYN KAMPMAN

JOINT BUDGET COMMITTEE  
200 EAST 14TH AVENUE, 3RD FLOOR  
LEGISLATIVE SERVICES BUILDING  
DENVER, CO 80203  
TELEPHONE 303-866-2061  
<http://leg.colorado.gov/agencies/joint-budget-committee>

June 11, 2020

Hon. Phil Weiser, Attorney General  
Colorado Department of Law  
Ralph L. Carr Colorado Judicial Center  
1300 Broadway, 10th Floor  
Denver, CO 80203

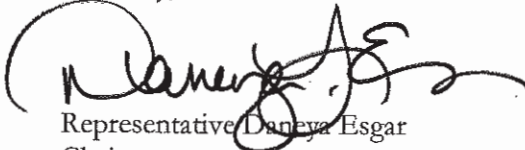
Dear Attorney General Weiser:

The General Assembly recently finalized the FY 2020-21 Long Bill. Pursuant to Section 24-75-112 (2), C.R.S., the Long Bill footnotes no longer include requests for information. In lieu of such footnotes, the Joint Budget Committee respectfully submits the following requests for information. These requests are associated with specific Long Bill line items, and each has its own details and deadlines. Consistent with the provisions of Section 2-3-203 (3), C.R.S., information requests have been prioritized within each department in the attached lists.

To assist our staff in organizing and tracking submissions, we would appreciate if the department would follow the protocol outlined in an attachment to this letter with respect to submitting hard copies and electronic responses. The Committee requests that the department comply with these requests for information to the fullest extent possible.

Please notify us by July 15, 2020 if the department does not intend to comply with any requests.

Sincerely,



Representative Daneya Esgar  
Chair

cc:

Natalie Hanlon Leh, Chief Deputy Attorney General, Colorado Department of Law  
Jon Reitan, Budget Director, Colorado Department of Law  
Carolyn Kampman, Staff Director, Joint Budget Committee

**Attachment**  
**Requested Format for Responses to Legislative Requests for Information**

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  - Jessi Neuberg ([jessi.neuberg@state.co.us](mailto:jessi.neuberg@state.co.us)) at the JBC offices
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For example, the attachment providing the response to RFI #5 in the Department of Health Care Policy and Financing would be entitled: **Health Care Policy and Financing FY 2019-20 RFI #5**.



# LEGISLATIVE REQUESTS FOR INFORMATION FOR FY 2020-21

## DEPARTMENT OF LAW

- 1 Department of Law, Legal Services to State Agencies, Personal Services -- The Department is requested to provide by November 1, 2020 a report concerning the implementation of changes to the appropriation and billing methodologies for legal services provided to state agencies. As part of the report, the Department is requested to solicit feedback from all client agencies regarding the benefits and challenges associated with the change in methodologies.
- 2 Department of Law, Criminal Justice and Appellate, Appellate Unit -- The Department is requested to provide by November 1, 2020 a report concerning the Appellate Unit's progress in reducing its case backlog, including the following data for FY 2019-20: the number of opening briefs received; the number of answer briefs filed; and the case backlog as of June 30, 2019.
- 3 Department of Law, Criminal Justice and Appellate, Medicaid Fraud Control Unit -- Pursuant to Section 25.5-4-310, C.R.S., the Department of Law's Medicaid Fraud Control Unit is required to submit an annual report by January 15 concerning: actions filed under the "Colorado Medicaid False Claims Act", the amount recovered as a result of such actions, and the amount of related expenditures. The General Assembly requests that the Department also include in this annual report information about expenditures and recoveries related to the Unit's criminal investigations.
- 4 Department of Law, Special Purpose, District Attorney Training -- Pursuant to Section 20-1-111 (4) (b), C.R.S., the Colorado District Attorneys' Council (CDAC) allocated these dollars to provide prosecution training, seminar, continuing education programs, and other prosecution related services on behalf of District Attorneys who are members of the CDAC. The CDAC is requested to submit an annual report by November 1 detailing how the District Attorney Training appropriation is spent, including the number and type of training activities provided, the number of district attorney offices served by each type of training activity, the number of deputy district attorneys trained, and detail of the costs categorized by personnel, operating, and travel, for each training effort.



# STATE OF COLORADO

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DENVER, CO 80203  
TELEPHONE 303-866-2061  
<http://leg.colorado.gov/agencies/joint-budget-committee>

June 11, 2020

Hon. Jena Griswold  
Colorado Secretary of State  
1700 Broadway, Suite 200  
Denver, CO 80290

Dear Secretary Griswold:

The General Assembly recently finalized the FY 2020-21 Long Bill. Pursuant to Section 24-75-112 (2), C.R.S., the Long Bill footnotes no longer include requests for information. In lieu of such footnotes, the Joint Budget Committee respectfully submits the following requests for information. These requests are associated with specific Long Bill line items, and each has its own details and deadlines. Consistent with the provisions of Section 2-3-203 (3), C.R.S., information requests have been prioritized within each department in the attached lists.

To assist our staff in organizing and tracking submissions, we would appreciate if the department would follow the protocol outlined in an attachment to this letter with respect to submitting hard copies and electronic responses. The Committee requests that the department comply with these requests for information to the fullest extent possible.

Please notify us by July 15, 2020 if the department does not intend to comply with any requests.

Sincerely,

Representative Daneya Esgar  
Chair

cc:

Brad Lang, Controller, Colorado Secretary of State  
Carolyn Kampman, Staff Director, Joint Budget Committee

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For example, the attachment providing the response to RFI #5 in the Department of Health Care Policy and Financing would be entitled: **Health Care Policy and Financing FY 2019-20 RFI #5**.

# LEGISLATIVE REQUESTS FOR INFORMATION FOR FY 2020-21

## DEPARTMENT OF STATE

- 1 Department of State, Administration Division, Operating Expenses -- The Department is requested to submit a report on the impact of the 2020 primary elections outreach campaign to unaffiliated voters by February 1, 2021. This report should include, but is not limited to, the following information: total cost, per audience-member-reached cost, ballot spoilage rate by county and statewide, turnout rates of unaffiliated voters by county, methods used to reach unaffiliated voters, and the methodology used to improve spoilage rates in counties with an above average rate in the 2018 General Election.
- 2 Department of State, Elections Division, Local Election Reimbursement -- The Department is requested to submit a letter addressed to the General Assembly and to the Joint Budget Committee notifying both if, and when, it relies on the footnote attached to this line item to overexpend the Local Election Reimbursement line item authorized by aforementioned footnote to meet statutory requirements of Section 1-5-505.5, C.R.S.
- 3 Department of State, Business and Licensing Division, Business Intelligence Center -- The Department is requested to submit a report with its annual budget request detailing donations received by the Business Intelligence Center, either directly or through the 501(c)(3) organization designated by the Department. The report should include data on the receipt and expenditure of both financial and in-kind donations for the prior fiscal year and year-to-date data on donations made in the current fiscal year. It should also include information on each project ever funded, including public availability/access, features/purpose, and a measure to gauge its success or usage, to the extent possible.

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June 11, 2020

Hon. Dave Young  
Colorado State Treasurer  
200 East Colfax Ave.  
State Capitol, Suite 140  
Denver, CO 80203

Dear Treasurer Young:

The General Assembly recently finalized the FY 2020-21 Long Bill. Pursuant to Section 24-75-112 (2), C.R.S., the Long Bill footnotes no longer include requests for information. In lieu of such footnotes, the Joint Budget Committee respectfully submits the following requests for information. These requests are associated with specific Long Bill line items, and each has its own details and deadlines. Consistent with the provisions of Section 2-3-203 (3), C.R.S., information requests have been prioritized within each department in the attached lists.

To assist our staff in organizing and tracking submissions, we would appreciate if the department would follow the protocol outlined in an attachment to this letter with respect to submitting hard copies and electronic responses. The Committee requests that the department comply with these requests for information to the fullest extent possible.

Please notify us by June 1, 2019 if the department does not intend to comply with any requests.

Sincerely,

Representative Daneya Esgar  
Chair

cc:  
Eric Rothaus, Deputy Treasurer  
Clare Jozwiak, Controller, State Treasury  
Carolyn Kampman, Staff Director, Joint Budget Committee

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## LEGISLATIVE REQUESTS FOR INFORMATION FOR FY 2020-21

### DEPARTMENT OF THE TREASURY

- 1 Department of the Treasury, Administration -- The State Treasurer is requested to submit an annual report to the Joint Budget Committee concerning the performance of the State's investments. The report should include comparisons to relevant benchmarks and a detailed discussion of the benchmarks. This report should be submitted as a part of the State Treasurer's annual budget request.