

State of Colorado



Bill Ritter, Jr.
Governor

Rich Gonzales
Executive Director

Jennifer Okes
Deputy Executive Director

David J. McDermott
State Controller

DPA

**Department of Personnel
& Administration**

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September 1, 2010

The Honorable Bill Ritter, Jr.
Governor
State of Colorado

The Honorable Brandon C. Shaffer
President of the Senate
Colorado General Assembly

The Honorable Terrance D. Carroll
Speaker of the House
Colorado General Assembly

Roxy Huber
Executive Director
Colorado Department of Revenue

Dear Sirs and Madam:

Pursuant to CRS 24-77-106.5(1)(b), I hereby certify that the unaudited state revenues subject to Article X, Section 20 (TABOR) of the State Constitution, were below the TABOR limitation for Fiscal Year 2009-10. Total TABOR nonexempt revenues are \$8,567,497,396. The Fiscal Year Spending Limitation adjusted for errors in prior years and qualifications of enterprises is \$9,183,424,913. The difference of \$615,927,517 is the amount under the adjusted fiscal year spending limit.

A schedule is attached comparing general and program nonexempt TABOR revenues for Fiscal Year 2009-10 to Fiscal Year 2008-09. Total revenues not exempt from TABOR were lower than the previous fiscal year by 5.9 percent. The \$8,567,497,396 nonexempt revenues excludes revenues recorded by Adams and Mesa State Colleges, which requalified as TABOR Enterprises in Fiscal Year 2009-10 and revenues recorded by Unemployment Insurance which became a TABOR Enterprise per statute in Fiscal Year 2009-10.

The Fiscal Year 2009-10 limit was reduced by \$35,296,939 of nonexempt revenue recorded by Adams and Mesa State Colleges and \$390,920,162 of nonexempt revenue recorded by Unemployment Insurance for Fiscal Year 2008-09. Without the Fiscal Year 2008-09 revenue of the qualified and new TABOR Enterprises, nonexempt revenue would have decreased by 1.3 percent.

The amounts reported above are based on unaudited account balances, and they are therefore subject to change. The State Auditor is required by statute to report on the audit of these amounts by September 15, 2010. If there are questions concerning the information provided please feel free to contact me.

Sincerely yours,

David J. McDermott
Colorado State Controller

cc: Rich Gonzales, Personnel & Administration
Todd Saliman, OSPB
Reporting & Analysis

STATE OF COLORADO
OFFICE OF THE STATE CONTROLLER
COMPARISON OF NONEXEMPT TABOR REVENUES
FOR THE FISCAL YEAR ENDED JUNE 30, 2010

	Fiscal Year 2009-10	Fiscal Year 2008-09	Increase (Decrease)	Percent Change
GENERAL REVENUES				
Individual Income Tax, Net	\$ 3,768,442,515	\$ 3,999,088,379	\$ (230,645,864)	-5.8%
Sales and Use Tax, Net	1,979,100,583	1,890,012,984	89,087,599	4.7%
Corporate Income Tax, Net	350,067,551	265,213,739	84,853,812	32.0%
Insurance Taxes	186,921,799	192,412,740	(5,490,941)	-2.9%
Tobacco Products Tax, Net	56,933,028	56,612,391	320,637	0.6%
Miscellaneous Revenue	47,269,102	2,038,194	45,230,908	2219.2%
Alcoholic Beverages Tax, Net	35,438,490	34,970,318	468,172	1.3%
Court and Other Fines	27,622,410	33,902,092	(6,279,682)	-18.5%
Interest and Investment Income	9,970,623	9,182,485	788,138	8.6%
Fiduciary Income Tax, Net	8,405,928	21,608,476	(13,202,548)	-61.1%
Business Licenses and Permits	6,681,761	4,580,438	2,101,323	45.9%
General Government Service Fees	662,497	261,942	400,555	152.9%
Gaming and Other Taxes	559,661	1,198,260	(638,599)	-53.3%
Other General Revenue	441,832	182,515	259,317	142.1%
TOTAL GENERAL REVENUES	6,478,517,780	6,511,264,953	(32,747,173)	-0.5%
PROGRAM REVENUE				
Fuel and Transportation Taxes, Net	544,539,367	541,592,154	2,947,213	0.5%
Health Service Fees	342,512,247	39,947,249	302,564,998	757.4%
Motor Vehicle Registrations	211,202,590	191,791,827	19,410,763	10.1%
Court and Other Fines	173,894,041	141,048,987	32,845,054	23.3%
Other Charges For Services	134,800,948	41,735,775	93,065,173	223.0%
Business Licenses and Permits	116,562,088	110,742,334	5,819,754	5.3%
Gaming and Other Taxes	99,712,771	96,168,982	3,543,789	3.7%
Interest and Investment Income	83,962,778	118,383,116	(34,420,338)	-29.1%
Rents and Royalties	45,421,767	43,070,060	2,351,707	5.5%
Nonbusiness Licenses and Permits	45,356,585	38,865,417	6,491,168	16.7%
General Government Service Fees	40,434,272	40,242,931	191,341	0.5%
Insurance Taxes	39,320,536	46,273,647	(6,953,111)	-15.0%
Severance Taxes	36,081,312	319,057,785	(282,976,473)	-88.7%
Local Governments and Authorities	28,123,594	32,837,510	(4,713,916)	-14.4%
Driver's Licenses	25,304,628	22,718,687	2,585,941	11.4%
Sales and Use Tax, Net	24,844,470	248,011,161	(223,166,691)	-90.0%
Certifications and Inspections	19,636,038	19,997,417	(361,379)	-1.8%
Employment Taxes	19,329,109	19,369,145	(40,036)	-0.2%
Educational Fees	18,144,849	19,101,968	(957,119)	-5.0%
Miscellaneous Revenue	17,879,721	16,012,426	1,867,295	11.7%
Public Safety Service Fees	11,691,373	6,182,016	5,509,357	89.1%
Higher Education Auxiliary Sales and Services	5,049,204	6,566,342	(1,517,138)	-23.1%
Other Cash-Funded Revenue	5,175,328	5,154,822	20,507	0.4%
TOTAL PROGRAM REVENUES	2,088,979,616	2,164,871,757	(75,892,141)	-3.5%
New and Qualified Enterprises in Fiscal Year :				
Adams and Mesa State Colleges	-	35,296,939	(35,296,939)	-100.0%
Unemployment Insurance		390,920,162	(390,920,162)	-100.0%
TOTAL NONEXEMPT REVENUE AND ADJUSTMENTS	\$ 8,567,497,396	\$ 9,102,353,811	\$ (534,856,415)	-5.9%