

# State of Colorado



**John W. Hickenlooper**  
*Governor*

**Kathy Nesbitt**  
*Executive Director*

**Jennifer Okes**  
*Deputy Executive Director*

**David J. McDermott**  
*State Controller*

## DPA

Department of Personnel  
& Administration

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August 31, 2012

The Honorable John W. Hickenlooper  
Governor  
State of Colorado

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

The Honorable Frank McNulty  
Speaker of the House  
Colorado General Assembly

Barbara Brohl  
Executive Director  
Colorado Department of Revenue

Dear Sirs and Madam:

Pursuant to CRS 24-77-106.5(1)(b), I hereby certify that for Fiscal Year 2011-12, the unaudited state revenues subject to Article X, Section 20 (TABOR) of the State Constitution are \$10,269,103,335.

A schedule is attached comparing general and program nonexempt TABOR revenues for Fiscal Year 2011-12 to Fiscal Year 2010-11. Total revenues not exempt from TABOR were more than the previous fiscal year by 9.0 percent. The \$10,269,103,335 nonexempt revenue excludes revenues recorded by the Division of Parks, which merged with the Division of Wildlife, a TABOR Enterprise, in Fiscal Year 2011-12. Before application of population and inflation adjustments, the Fiscal Year 2011-12 limit was reduced by \$26,688,898. This represents \$30,836,422 of nonexempt revenue recorded by the Division of Parks in Fiscal Year 2010-11, reduced by \$4,342,886 of revenue recorded by other state agencies which they received from the Division of Parks in Fiscal Year 2010-11. The limit was also reduced by an additional \$195,362 from errors in prior years.

The Schedule of Computations Required Under Article X, Section 20 is also attached. State revenues subject to TABOR for Fiscal Year 2011-12 were over the Fiscal Year Spending limit by \$1,469,050,176 and below the Excess State Revenues Cap by \$602,426,600, after adjustments for qualification and disqualification of enterprises. Preliminarily, no refund of State revenues is required in Fiscal Year 2012-13 related to Fiscal Year 2011-12 revenues subject to TABOR.

The amounts reported above and in the attached schedules 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, 2012.

*"Working Together to Serve Colorado"*

In accordance with the filing requirements contained in the Information Coordination Act enacted in Senate Bill 12-152, we will also distribute the report to the State and Legislative Libraries.

If there are questions concerning the information provided please feel free to contact me.

Sincerely yours,



David J. McDermott  
Colorado State Controller

cc: Kathy Nesbitt, Personnel & Administration  
Henry Sobanet, OSPB  
Reporting & Analysis

**STATE OF COLORADO**  
**OFFICE OF THE STATE CONTROLLER**  
**COMPARISON OF NONEXEMPT TABOR REVENUES**  
**FOR THE FISCAL YEAR ENDED JUNE 30, 2012**  
**UNAUDITED**

|  | Fiscal Year<br>2011-12   | Fiscal Year<br>2010-11  | Increase<br>(Decrease) | Percent<br>Change |
|--|--------------------------|-------------------------|------------------------|-------------------|
| <b>GENERAL REVENUES</b>                        |                          |                         |                        |                   |
| Individual Income Tax, Net                     | \$ 4,610,873,096         | \$ 4,133,408,992        | \$ 477,464,104         | 11.6%             |
| Sales and Use Tax, Net                         | 2,293,563,374            | 2,233,520,637           | 60,042,737             | 2.7%              |
| Corporate Income Tax, Net                      | 459,134,342              | 365,558,281             | 93,576,061             | 25.6%             |
| Insurance Taxes                                | 197,201,583              | 189,648,267             | 7,553,316              | 4.0%              |
| Tobacco Products Tax, Net                      | 55,530,516               | 53,106,933              | 2,423,583              | 4.6%              |
| Alcoholic Beverages Tax, Net                   | 38,366,598               | 36,437,527              | 1,929,071              | 5.3%              |
| Fiduciary Income Tax, Net                      | 23,923,281               | 20,501,197              | 3,422,084              | 16.7%             |
| Interest and Investment Income                 | 14,238,030               | 7,334,213               | 6,903,817              | 94.1%             |
| Court and Other Fines                          | 9,419,468                | 10,102,461              | (682,993)              | -6.8%             |
| Business Licenses and Permits                  | 6,601,915                | 4,490,095               | 2,111,820              | 47.0%             |
| Miscellaneous Revenue                          | 2,644,399                | 2,714,892               | (70,493)               | -2.6%             |
| Gaming and Other Taxes                         | 594,680                  | 491,455                 | 103,225                | 21.0%             |
| Other General Revenue                          | 410,177                  | 94,577                  | 315,600                | 333.7%            |
| General Government Service Fees                | 350,623                  | 269,804                 | 80,819                 | 30.0%             |
| <b>TOTAL GENERAL REVENUES</b>                  | <b>7,712,852,082</b>     | <b>7,057,679,331</b>    | <b>655,172,751</b>     | <b>9.3%</b>       |
| <b>PROGRAM REVENUE</b>                         |                          |                         |                        |                   |
| Health Service Fees                            | 650,338,502              | 488,851,526             | 161,486,976            | 33.0%             |
| Fuel and Transportation Taxes, Net             | 559,673,030              | 558,967,270             | 705,760                | 0.1%              |
| Motor Vehicle Registrations                    | 229,026,208              | 218,157,499             | 10,868,709             | 5.0%              |
| Severance Taxes                                | 199,437,187              | 140,046,677             | 59,390,510             | 42.4%             |
| Court and Other Fines                          | 168,027,680              | 181,058,567             | (13,030,887)           | -7.2%             |
| Other Charges For Services                     | 140,363,044              | 138,273,131             | 2,089,913              | 1.5%              |
| Business Licenses and Permits                  | 128,076,172              | 133,376,253             | (5,300,081)            | -4.0%             |
| Gaming and Other Taxes                         | 93,404,297               | 96,150,672              | (2,746,375)            | -2.9%             |
| Interest and Investment Income                 | 54,245,055               | 70,925,656              | (16,680,601)           | -23.5%            |
| Rents and Royalties                            | 40,971,223               | 33,265,112              | 7,706,111              | 23.2%             |
| Local Governments and Authorities              | 40,046,106               | 20,233,887              | 19,812,219             | 97.9%             |
| General Government Service Fees                | 39,508,777               | 38,893,608              | 615,169                | 1.6%              |
| Sales and Use Tax, Net                         | 39,011,747               | 34,236,624              | 4,775,123              | 13.9%             |
| Driver's Licenses                              | 31,610,993               | 31,194,068              | 416,925                | 1.3%              |
| Nonbusiness Licenses and Permits               | 31,313,531               | 28,268,654              | 3,044,877              | 10.8%             |
| Miscellaneous Revenue                          | 25,074,834               | 37,339,023              | (12,264,189)           | -32.8%            |
| Certifications and Inspections                 | 20,636,730               | 21,767,546              | (1,130,816)            | -5.2%             |
| Employment Taxes                               | 19,307,097               | 18,610,509              | 696,588                | 3.7%              |
| Insurance Taxes                                | 18,010,187               | 22,480,508              | (4,470,321)            | -19.9%            |
| Public Safety Service Fees                     | 10,766,770               | 11,943,862              | (1,177,092)            | -9.9%             |
| Higher Education Auxiliary Sales and Services  | 6,908,220                | 3,789,901               | 3,118,319              | 82.3%             |
| Educational Fees                               | 6,783,915                | 4,869,796               | 1,914,119              | 39.3%             |
| Other Program Revenue                          | 3,709,948                | 3,547,878               | 162,070                | 4.6%              |
| <b>TOTAL PROGRAM REVENUES</b>                  | <b>2,556,251,253</b>     | <b>2,336,248,227</b>    | <b>220,003,026</b>     | <b>9.4%</b>       |
| Enterprise Qualified in Fiscal Year :          |                          |                         |                        |                   |
| Division of Parks and Wildlife                 | -                        | 30,836,422              | (30,836,422)           | -100.0%           |
| <b>TOTAL NONEXEMPT REVENUE</b>                 | <b>10,269,103,335</b>    | <b>9,424,763,980</b>    | <b>844,339,355</b>     | <b>9.0%</b>       |
| <b>TOTAL NONEXEMPT REVENUE AND ADJUSTMENTS</b> | <b>\$ 10,269,103,335</b> | <b>\$ 9,424,763,980</b> | <b>\$ 844,339,355</b>  | <b>9.0%</b>       |

STATE OF COLORADO  
SCHEDULE OF COMPUTATIONS REQUIRED  
UNDER ARTICLE X, SECTION 20 – **UNAUDITED**  
AS OF JUNE 30, 2012

|   | FISCAL YEAR<br>2010-11  | FISCAL YEAR<br>2011-12       |
|---|-------------------------|------------------------------|
| <b>COMPUTATION OF NONEXEMPT REVENUES</b>  |                         |                              |
| Total State Expenditures  | \$ 35,809,181,237       | \$ 36,411,286,838            |
| Less Exempt Enterprises Expenses:   |                         |                              |
| Higher Education Enterprises  | 6,842,932,797           | 8,231,140,250                |
| Unemployment Compensation Section   | 2,144,256,726           | 1,582,362,326                |
| College Assist  | 683,147,763             | 624,272,273                  |
| State Lottery   | 528,143,599             | 562,295,878                  |
| CollegeInvest   | 442,627,962             | 426,490,870                  |
| Parks and Wildlife Division   | 121,102,821             | 187,847,470                  |
| Correctional Industries   | 67,286,736              | 66,846,550                   |
| State Nursing Homes   | 53,387,808              | 48,509,487                   |
| Petroleum Storage Tank Fund   | 36,797,270              | 38,569,901                   |
| Statewide Bridge Enterprise   | 11,228,233              | 15,955,618                   |
| Clean Screen Authority  | 6,099,590               | 6,295,836                    |
| Brand Board   | 4,364,826               | 4,809,670                    |
| Statewide Transportation Enterprise   | 3,793,121               | 3,225,624                    |
| Capitol Parking Authority   | 487,594                 | 970,847                      |
| Subtotal Enterprise Expenses  | 10,945,656,846          | 11,799,592,600               |
| Total District Expenditures   | 24,863,524,391          | 24,611,694,238               |
| Less Exempt District Revenues:  |                         |                              |
| Interfund Transfers   | 6,885,268,170           | 6,600,381,317                |
| Federal Funds   | 6,918,512,698           | 6,272,469,414                |
| Other Sources and Additions   | 677,647,603             | 931,466,371                  |
| Voter Approved Revenue Changes  | 761,806,776             | 646,185,624                  |
| Property Sales  | 102,267,933             | 143,730,973                  |
| Damage Awards   | 99,395,799              | 106,738,221                  |
| Gifts   | 68,790,202              | 78,800,893                   |
| Exempt Investment Income  | 18,942,966              | (2,780,995)                  |
| Subtotal Exempt District Revenues   | 15,532,632,147          | 14,776,991,818               |
| Nonexempt District Expenditures   | 9,330,892,244           | 9,834,702,420                |
| District Reserve/Fund Balance Increase (Decrease)   | 93,871,736              | 434,400,915                  |
| Total Nonexempt District Revenues   | 9,424,763,980           | 10,269,103,335               |
| <b>COMPUTATION OF DISTRICT FUND BALANCE CHANGES</b>   |                         |                              |
| Beginning District Fund Balance   | \$ 4,822,971,980        | \$ 4,800,648,746             |
| Prior Period District Fund Balance Adjustments  | (3,971,397)             | 26,401,948                   |
| (Qualification)/Disqualification of Enterprises   | (112,223,573)           | (47,724,307)                 |
| District Reserve/Fund Balance Increase (Decrease)   | 93,871,736              | 434,400,915                  |
| Ending District Fund Balance  | \$ 4,800,648,746        | \$ 5,213,727,302             |
| <b>FISCAL YEAR 2011-12 COMPUTATION OF SPENDING LIMITATIONS</b>                                |                         |                              |
|   | FISCAL YEAR<br>SPENDING | EXCESS STATE<br>REVENUES CAP |
| FY 2010-11 Limit  | \$ 8,654,191,995        | \$ 10,684,856,218            |
| Errors in Prior Years   | (195,362)               | -                            |
| Other Agency Revenues From Qualification of Enterprises                                       | 4,342,886               | 4,342,886                    |
| Qualification of Enterprises  | (30,836,422)            | (30,836,422)                 |
| FY 2010-11 Adjusted Limit   | \$ 8,627,503,097        | \$ 10,658,362,682            |
| Allowable TABOR Growth Rate   | 2.0%                    | 2.0%                         |
| FY 2011-12 Unadjusted Limit   | \$ 8,800,053,159        | \$ 10,871,529,935            |
| FY 2011-12 Adjusted Limit   | 8,800,053,159           | 10,871,529,935               |
| Less Fiscal Year 2011-12 Nonexempt District Revenues  | (10,269,103,335)        | (10,269,103,335)             |
| Amount (Over)Under Adjusted Limit   | \$ (1,469,050,176)      | \$ 602,426,600               |
| Under(Over) Statement of Prior Years' Refunds Carried Forward to Next Refund Year             |                         | \$ 2,899,667                 |
| FY2004-05 Amount in Excess of the Limit - Not Refunded at June 30, 2012                       |                         | \$ 705,716                   |
| FY2011-12 Retention of Revenues in Excess of the Limit (not refundable) CRS 24-77-103.6(1)(b) |                         | \$ 1,469,050,176             |