

**Federal, State and Intergovernmental Relations (FSIR)  
Policy Committee Meeting  
January 24, 2019  
1:30 pm  
Ponderosa Room**

**Council Member Charlie Richardson, Chair  
Council Member Marsha Berzins, Vice Chair  
Council Member Crystal Murillo, Member**

Serve as leaders and partner with other governments and jurisdictions

1. Approval of November 30, 2018 Minutes      Richardson
2. Consent Items (none)
3. Federal Update      Hettinger
4. State Legislative Update      Stephens/LaCrue
5. Miscellaneous Matters for Consideration
6. Set/Confirm Next Meeting      Richardson

**Federal, State and Intergovernmental Relations (FSIR) Meeting**  
November 30, 2018 Minutes

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**Members Present:** Council Member Angela Lawson, Chair; Council Member Nicole Johnston, Vice-Chair; Council Member Crystal Murillo, Member

**Others Present:** Natasha Campbell, Michael Crews, Karen Hancock, Kathy Kitzmann, Matthew LaCrue, Brandy Morrison, Debora O'Connor, Nancy Rodgers, Amy Stephens

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1. **MINUTES FROM OCTOBER 26, 2018 MEETING:** approved as written.

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2. **FEDERAL UPDATE.**

**Summary of Issue and Discussion:** Lauri Hettinger, lobbyist with Holland and Knight, called in with a post-election update on Federal Legislation.

Congress passed four appropriation bills for FY 2019; seven are outstanding. A Continuing Resolution was passed to provide funding for federal agencies at current funding levels until December 7, 2018. The remaining bills are transportation hikes, commerce, justice, science, and homeland security (Border Wall). All of the bills have been finalized except for the Border Wall. Senate had proposed \$5B over two years, promising to pass appropriation bills if accepted. A Government shutdown would result in refusal of the proposal; outcome will be known December 7, 2018. CM Johnston asked if any municipalities or Mayor's Leagues had taken a stance on the Border Wall; L. Hettinger is unsure. She will find out and also contact NLC for their stance.

Congresswoman Nancy Pelosi won the Democratic caucus vote for Majority Leader. Top priorities for the Democrats are Campaign Finance Reform, Immigration Reform (DACA), Ethics Reform, Gun Safety, Prescription Drug Pricing Control, and the Equality Act. Congressman Kevin McCarthy won the Republican caucus for Minority Leader. The Senate will select their leadership elections in 2019.

Besides appropriation bills, the House and Senate need to pass their Farm Bill by Friday, December 7, 2018. Congress expected to recess December 13, 2018 – January 3, 2019.

Regarding Aurora's request for a BUILD grant for I-70 & Picadilly, DOT says that Congressional Offices will be notified by Monday, December 3, 2018; awards will be public by Thursday, December 6, 2018.

**Outcome:** Information only.

**Action Items:** L. Hettinger will provide FSIR with a summary of the appropriation bills that passed and compare them to last year's funding levels.

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3. **VA PRESENTATION:**

**Summary of Issue and Discussion:** Brandy Morrison, Public Affairs Officer of VA Eastern Colorado Health Care System, updated the Committee on noted dates: July 21, 2018 was the

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Ribbon Cutting for Aurora Veterans Affairs Hospital; July 31, 2018 is when out-patient services began; and August 4, 2018 is when in-patients moved in. Within the first 90 days of the VA Medical Center Emergency Department's opening at the new location, there have been 70,000+ out-patient visits, and 973+ surgeries. On November 12, 2017 (Veteran's Day), the Out-Patient Mental Health Service moved to the new location. As of now, the only unit not up and running is the residential PTSD unit, though PTSD services are still provided at the Denver campus. The anticipated move is at the end of 2020/beginning of 2021. November 30, 2018 was the Ribbon Cutting for the Community Resource Referral Center, which is now a large stand-alone building located at 3836 York Street. For Veterans who are homeless or afraid of becoming homeless, this is a one-stop-shop for benefits both through the VA and community partners.

The main priority is expanding the Mississippi and Potomac (primary care and mental health) clinic and finding a new home for it based on the highest homeless density in Aurora. Future projects include the early 2019 ground-breaking for the Fisher House for Veterans on the Fitzsimons campus, finding a new, larger location for the Aurora Clinic, and opening a PTSD residential unit in Aurora.

**Outcome:** Information only.

**Action Items:** None.

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4. **STATE LEGISLATIVE SESSION PREPARATION:**

**Summary of Issue and Discussion:** Matthew LaCrue and Amy Stephens updated FSIR on the following:

Election results: the House now has 38 Democrats and 27 Republicans; the Senate has 19 Democrats and 16 Republicans. KC Becker was elected Speaker of the House, and Leroy Garcia was elected to lead the Senate. Speaker Becker will advise us of the new House committee assignments before the holidays, and the Senate assignments should be released the week of December 10, 2018.

The Joint Budget Committee starts Tuesday, December 4, 2018 and will discuss PERA, the Department of Local Affairs, and the Department of Education. On Wednesday, December 5, 2018 they will discuss the Department of Transportation, the Treasury and give a briefing on the Judicial Branch. All budget requests will be in by January 4, 2019. Public Health & Environment, the Department of State and Human Services are all meeting up until December 7, 2018.

Session starts early on January 4, 2019.

Transportation Review and Term Committee update: the petroleum association unsuccessfully tried to force Aurora's hand on designating a HAZMAT route. The City had citizens and CML testify, and they'll return to the topic in 2019.

Supervised Injection Facilities: this proposal was introduced in Denver by Senator-elect

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Brittany Petterson. A. Stephens said this came up in the Opioid Commission Hearing and Attorney General Coffman supported it. CM Johnston said that some Aurora constituents are concerned. CML will be addressing this; it's an on-going conversation.

Bond Reform: it's coming and Judge Day is part of the conversation.

Sales Tax Centralization is a priority. The Department of Revenue is going to look at/for any vendors that will meet all of the needs of the different taxing areas.

Marijuana Open Consumption: the bills will be sent to FSIR Committee for Town Hall discussions noting that a local control issue will be advocated. Public Safety is concerned that if officers and/or fire fighters go into open-consumption areas, they could test positive for drug marijuana just being around it. Has legislation addressed this? Anti-secondhand smoke groups and the American Cancer Society are voicing opposition by showing up at meetings with a thoughtful point of view.

**Outcome:** Information Only.

**Action Items:** M. LaCrue and A. Stephens to update FSIR on Marijuana Open Consumption bills.

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5. **2019 STATE & FEDERAL PRIORITIES:**

Summary of Issue and Discussion: Michael Crews, on behalf of Roberto Venegas, updated Committee on the following:

There are no changes to Federal priorities.

I-70/Picadilly is still an Aurora priority. If BUILD grant is not received December 6, 2018, it will be sought again in 2019.

Military/Veterans: the Defense Committee Infrastructure Program remains unfunded and is open to funding sources.

Marijuana Banking: there has been movement this week, but changes to Committee are coming. Democrats and some Republicans want to move forward with this.

Community Development: CM Lawson suggests seeking other support sources moving forward. She talked with HUD this summer through Accelerate Colorado, with Council Members Johnston and Murillo, Deputy City Manager Jason Batchelor, and City Attorney Mike Hyman present. She asked M. Crews to ask J. Batchelor for a follow-up on the actionable items.

Opportunity Zones: census tracks helped decide the Opportunity Zones for Aurora, but there is a missing piece. CM Johnston suggested that we need to be clear on rules and how we are interpreting them. Per M. Crews, another set of rules is coming out the week of December 17, 2018; final rules coming out January 2019. However, he is unsure if those will be new rules or

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just clarification on existing rules. Can we make this a Federal priority? The rules came out with no comment from us. How is success defined with this program? What is the evaluation criteria on municipalities? How are we being graded and evaluated? The original intent was job creation, wealth-building, and education opportunities; we need to be plugged in and measuring the impact of this trillion dollar project.

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6. **COMPLETE COUNT COMMITTEE:**

**Summary of Issue and Discussion:** The Census 2020 Steering Committee created the Complete Count Committee in Aurora to determine tasks, and the list being used for the census. Council will make additions to and deletions from the list.

Ms. Hancock shared that the Coordinator position in Planning has been posted; the new-hire will report to Hancock. She is targeting hiring someone by the end of January 2019 with the full Committee starting work in February.

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7. **MISCELLANEOUS:**

**Summary of Issue and Discussion:** CM Lawson will be talking to the Colorado Lobbying Association next week. She is trying to get in touch with Ethics Watch and Common Cause. Her estimated timeframe is January 2019. Since Committee assignments are likely to change soon, she will go forward with this and not bring it back to FSIR.

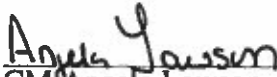
Nothing yet from Union attorneys regarding police and fire; CM Lawson would like to have a cordial conversation with them.

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8. **CONFIRM NEXT MEETING:** the next meeting will be in 2019 and has not yet been scheduled.

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Approved:

  
CM Angela Lawson  
Committee Chair

  
Date



## Federal, State and Intergovernmental Relations Agenda Item Commentary

<b>Item Title:</b> Federal Update
<b>Item Initiator:</b> Michael Crews, Intergovernmental Relations Coordinator
<b>Staff Source:</b> Michael Crews, Intergovernmental Relations Coordinator
<b>Deputy City Manager Signature:</b>
<b>Outside Speaker:</b> Lauri Hettinger, Holland & Knight
<b>Council Goal:</b> 2.0: Serve as leaders and partners with other governments and jurisdictions--2012: 2.0--Serve as leaders and partners with other governments and jurisdiction

### **ACTIONS(S) PROPOSED** *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session
- Approve Item and Move Forward to Regular Meeting
- Information Only

### **HISTORY** *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

Holland & Knight serve as the city's federal lobbyist. They have been serving the city since January 2015 and regularly provide updates to the FSIR committee on federal issues.

### **ITEM SUMMARY** *(Brief description of item, discussion, key points, recommendations, etc.)*

Please see the attached update.

### **QUESTIONS FOR Committee**

Does the Council have any questions regarding the federal update?

### **EXHIBITS ATTACHED:**

Federal Update.pdf

## City of Aurora

### January 2019 Report

#### 116<sup>th</sup> Congress Convenes

The 116th Congress convened at noon on Thursday, January 3, 2019. In the House, Democrats are now in the majority with 235 members while Republicans hold 199 seats. The session began with a parliamentary ceremony where lawmakers took their oath of office and ratified rules changes. Following her election as Speaker, Rep. Nancy Pelosi (D-Calif.) presided over the opening of the new Congress and administered the oath of office – en masse – to all new and returning members. Speaker Pelosi won the gavel with a [vote](#) of 220-192.

Simultaneously, in the Senate, where Republicans maintain the majority holding 53 seats and Democrats hold 47, Vice President Mike Pence swore in newly elected senators. Opening day included remarks by party leaders. Senate Majority Leader Mitch McConnell (R-Ky.) also asked senators to approve administrative resolutions and standing orders for the next Congress.

#### House Rules Package

On January 3, the House took legislative action on a [new rules package](#), which organizes the House for the new congress. The package, released by incoming Rules Committee Chairman Rep. Jim McGovern (D-Mass.), establishes a Select Committee on the Climate Crisis, as well as a Select Committee on the Modernization of Congress. The bill also includes a 72-hour rule to allow members of Congress time to review bills before they are voted on; a "consensus calendar" to move quickly on legislation with bipartisan support; and a ban on members of Congress and employees from sitting on corporate boards. Additionally, the rules change the process by which the House can remove the speaker (the motion to vacate) and allows Congress to suspend the debt limit by passing a budget. As expected, the package was [approved](#) on party lines, 234-197.

#### Federal Government Shutdown Update

Parts of the government remain shut down as the impasse over President Donald Trump's \$5 billion border wall demand continues. Appropriations for some federal agencies and other programs lapsed on December 21, 2018, including the Departments of Homeland Security, Justice, Transportation, Commerce and Agriculture. Other programs no longer receiving funding are the Temporary Assistance for Needy Families (TANF), Violence Against Women Act (VAWA), immigration programs including e-verify and EB-5 visas, and the Environmental Protection Agency's (EPA) authority to collect pesticide registration fees.

Last week, the House passed standalone Agriculture-FDA, Financial Services, Interior-Environment, and Transportation-HUD appropriations bills. The House has yet to take up separate Commerce-Justice-Science or State-Foreign Operations spending bills, but were

included in the six-bill minibus ([H.R. 21](#)) passed on January 3<sup>rd</sup>. None of the bills are expected to make it to the President's desk as he has promised to veto the measures, and Senate Majority Leader Mitch McConnell (R-KY) has declined to bring legislation to the Senate floor that President Trump will not sign.

### **Democrats Introduce Background Check Bill:**

Gun Violence Prevention Task Force Chairman Mike Thompson (D-CA), Congressman Pete King (R-NY), House Judiciary Committee Chairman Jerry Nadler (D-NY), Congressman Brian Fitzpatrick (D-PA), House Judiciary Subcommittee Chairwoman Sheila Jackson Lee (D-TX), Congressman Brian Mast (R-FL), Congresswomen Robin Kelly (D-IL), Congressman Fred Upton (R-MI), Congresswoman Lucy McBath (D-GA), and Congressman Chris Smith (R-NJ) introduced [H.R. 8](#), the Bipartisan Background Checks Act of 2019, legislation that requires background checks on all firearm sales. The 10 bipartisan, original coauthors introduced the legislation on the eighth anniversary of the Tucson shooting where six were killed and 13 were wounded by gunfire, including former Congresswoman Gabrielle Giffords. The bill would require that every sale of a firearm include a background check. It includes small, technical exceptions for family transfers and temporary hunting transfers. The bill has the support of every major gun violence prevention advocacy and grassroots organization.

### **DOT Requests Applications for INFRA Grants**

The Department of Transportation (DOT) on December 21 [announced](#) the solicitation of applications for fiscal year 2019 grants under what is now called the INFRA surface transportation grant program created by the FAST Act. The program has the largest grants out of any ongoing DOT competitive grant program with a minimum grant of \$25 million. Applications are due March 4, 2019, for what DOT anticipates will be between \$855-902.5 million in funding. The City is working to put together an application for the I-70/Picadilly interchange project.

### **Congressional Committees Update**

On January 8, the Senate elected the Senators to all of the Senate committees for the 116<sup>th</sup> Congress. Senator Cory Gardner will remain on the Senate Commerce Committee (oversees rail, freight, AVs) and was named chairman of Science, Oceans, Fisheries, and Water Subcommittee. He also remain on the Senate Energy and Natural Resources and Foreign Relations Committees. Senator Michael Bennet will remain on the Senate Finance and Agriculture Committees

The House has named members of several committees including House Ways and Means, Appropriations, Energy and Commerce, Armed Services, and Transportation and Infrastructure. Rep. Jason Crow will serve on the House Armed Services Committee. Rep. Joe Neguse was appointed on the House Judiciary Committee.

Rep. Diana DeGette remains on the House Energy and Commerce Committee and was named chair of the Oversight and Investigations Subcommittee which has oversight authority and the ability to investigate of several federal agencies that are under the full committee's jurisdiction including the Department of Health and Human Services (HHS), the National Institutes of Health (NIH), the Centers for Disease Control (CDC), the Environmental Protection Agency (EPA), the



Federal Communications Commission (FCC), the Federal Trade Commission (FTC), the Consumer Product Safety Commission (CPSC), the National Highway Transportation and Safety Administration (NHTSA) and the Department of Energy. She has stated that the first issue the submitted will handle is “the Trump Administration’s policy of separating children from their families at the border.”



## Federal, State and Intergovernmental Relations Agenda Item Commentary

<b>Item Title:</b> State Legislative Update
<b>Item Initiator:</b> Michael Crews, Intergovernmental Relations Coordinator
<b>Staff Source:</b> Michael Crews, Intergovernmental Relations Coordinator
<b>Deputy City Manager Signature:</b>
<b>Outside Speaker:</b> Matt La Crue, Dentons
<b>Council Goal:</b> 2.2: Partner and Cooperate with local educational institutes--2012: 2.2--Partner and Cooperate with local educational institute

### **ACTIONS(S) PROPOSED** *(Check all appropriate actions)*

- Approve Item and Move Forward to Study Session
- Approve Item and Move Forward to Regular Meeting
- Information Only

### **HISTORY** *(Dates reviewed by City council, Policy Committees, Boards and Commissions, or Staff. Summarize pertinent comments. ATTACH MINUTES OF COUNCIL MEETINGS, POLICY COMMITTEES AND BOARDS AND COMMISSIONS.)*

Dentons has served as the city's state lobbyist since January of 2017. They regularly provided updates to the FSIR committee, including reviewing state legislative activity and recommending positions as appropriate.

### **ITEM SUMMARY** *(Brief description of item, discussion, key points, recommendations, etc.)*

City staff is requesting active support/ oppose positions from FSIR for the following bills: 1. HB19-1033: Local Governments May Regulate Nicotine Products(Support) 2. HB19-1035: Remove Fee Cap Electrical Inspection Local Government Higher Education (Support) 3. HB19-1018: End Local Government Opt Out Of Unclaimed Property (Oppose) 4. SB19-030: Remediying Improper Guilty Pleas (Oppose) The bill language and city department analysis/recommendations are attached.

### **QUESTIONS FOR Committee**

Does the Council have any questions regarding the state legislative update? Does the Committee approve of the department recommendations for the bills discussed?

### **EXHIBITS ATTACHED:**

2019 CO Leg Update Week 2 v.3(110025383\_1).PDF

FSIR Leg. Update 1.24.19.docx  
FY20-PolisBudgetLetter-1-15-19-FINAL-Submission (1).pdf  
HB 1018.pdf  
HB 1033.pdf  
HB 1035.pdf  
SB 030.pdf

DENTONS



## Colorado Legislative Update. Week 2

The 2019 Legislative session is off and running. Wasting no time, over 200 bills have been introduced and scheduled for committees. After the swearing-in of the new General Assembly, the Governor's Inauguration, and the appointments of recent vacated seats, everyone is ready for business. With Democrats controlling both the House and Senate, we are eager to see their agenda move forward while still working across the aisle to pass bi-partisan legislation. We are seeing that leadership in both chambers are not holding back and introducing hot button issues right off the bat. It is no surprise that legislation from prior sessions have resurfaced and will be tested with the new makeup under the dome.

In the recent days, Governor Polis presented to the Joint Budget Committee on his first budget proposal for 2019. Polis has stated that his top priority of the year is building up the Colorado Education system and he opened with the first idea to provide access to free, full-day kindergarten to every child in Colorado. The price tag on that will be \$227 million. The Governor addressed the kindergarten funding in each of the JBC member's districts - pointing out that some districts receive Title 1 funds to aid in payment. Most districts have half day kindergarten and then request payment in most districts between \$300 - \$500 per month. The Governor made the case that funding full day kindergarten also frees up preschool slots. He asked for \$2 million in dropout prevention programs and wants to transfer \$92 million of unspent dollars to the \$138 million in reserves.

In addition, Governor Polis plans to continue to address the needs of all Coloradans in the price of healthcare. He is establishing, along with Lieutenant Governor Primavera, the first-ever *Office of Saving People Money on Healthcare*. He calls it a simple title with a large impact. Together, they plan to work closely with the legislature to increase price transparency, reduce costs for hospital stays, and make healthcare insurance more affordable. Their first step is to address prescription drug pricing and transparency. Governor Polis pointed out that Canada has the same drugs from the same manufacturing plants that we have in here in the United States, but at the fraction of the cost. Together, with the General Assembly, they will design a program to allow our state to import prescription drugs from Canada. The Budget sets aside \$1.3 million to get the program started and explore other innovated solutions. Another solution to reduce health care prices, Governor Polis plans to establish the Governors reinsurance program. The program, which essentially provides insurance for insurance companies, helps cover health care costs for patients with the most expensive ailments, reducing premiums in the individual market. The Governor believes his reinsurance program will lower premiums for Coloradans.

Other highlights from the Governor's budget request include establishing a paid family and medical leave program for state employees along with a 3% raise in pay. Legislation is expected to be introduced in the weeks to come. Other requests from the Governor include Teacher Loan Forgiveness, a program for Immigrants obtainment of Driver's license. The complete budget proposal is attached.

DENTONS

Your Denver Lobby  
Team



Amy Stephens  
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### **Bill Watch List Based on FSIR Priorities**

1. **HB18-1018**- *End Local Government Opt Out of Unclaimed Property Act*
2. **HB19 - 1033** - *Local Governments May Regulate Nicotine Products*
3. **HB18- 1035** - *Remove Fee Cap Electrical Inspection Local Government Higher Education*
4. **HB19- 1072** - *Require Traffic Signals Cycle Yellow Before Green*
5. **HB19- 1096** - *Colorado Right to Rest*
6. **SB19- 012** - *Use of Mobile Device While Driving*
7. **SB19-30** - *Remedy Improper Guilty Please*
8. **SB19-032**- *Hazardous Materials Transportation Routing*
9. **SB19-051** - *Increase General Fund Funding For Transportation*

## MEMORANDUM

**TO:** FSIR  
**FROM:** ROBERTO VENEGAS, ASSISTANT CITY MANAGER  
**SUBJECT:** STATE LEGISLATION UPDATE  
**DATE:** 1/24/2019

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### Staff Active Support Recommended

**Nicotine Taxation:** HB19-1033 Local Governments May Regulate Nicotine Products would enable local governments to impose an additional sales tax on nicotine products. Under the current statute in order to participate in the revenue share back provided by the state sales tax on nicotine products local governments are prohibited from enacting their own sales tax on such products. This bill would allow local governments to continue to receive state revenue share back and levy an additional sales tax on nicotine products. The bill would allow the city to collect sales tax twice on the sale of nicotine products.

**Finance recommends an actively support position. The bill is scheduled to be heard in House Health & Insurance on January 30. The bill has bi-partisan support in both chambers.**

**Electrical Inspections:** HB19-1035 Remove Fee Cap Electrical Inspection Local Government Higher Education would enable local governments to charge more than 15% over what the state charges to perform an electrical inspection. Under the current statute, local governments are prohibited from charging more than 15% of what the state charges to perform an electrical inspection. The bill would allow the city to set and charge a higher fee for electrical inspections performed by the building department.

**Public Works recommends an active support position. The bill is scheduled to be heard in House Transportation & Local Government on January 23. The bill has bi-partisan support in both chambers.**

### Staff Active Oppose Recommended

**Unclaimed Property:** HB19-1018 End Local Government Opt Out Of Unclaimed Property would eliminate the current exception provided to local governments to opt out of the Unclaimed Property Act. The current exception allows local governments that enact local laws related to the disposition of abandoned intangible property to opt out of the state's Unclaimed Property Act. The bill would institute a state preemption of any local laws regulating abandoned property. The bill would impact Aurora City Code, Sec. 2-721, et. seq. and various departmental policies on abandoned property.

Additionally, this bill would require Aurora to either pay or deliver the unclaimed property not kept in accordance with the state back to the state by January 1, 2020.

**City Attorney's Office recommends an active oppose position. The bill has yet to be scheduled in committee.**

**Improper Guilty Pleas:** SB19-030 Remediating Improper Guilty Pleas would address that in some instances when criminal defendants entered a guilty plea in connection to a deferred judgment they were not advised that there may be additional penalties that attach to the plea even if the plea is later withdrawn and the case is dismissed. These defendants did not knowingly, intelligently, and voluntarily enter the plea of guilty as required by law. The bill authorizes these persons to petition the court for an order vacating the guilty plea. The bill will have an impact on municipal courts in that it will add requirements currently not supported by Supreme Court case law. The language of the proposed bill is broad and unclear.

**Judicial recommends an active oppose position. The bill is scheduled to be heard in Senate Judiciary on January 23.**

#### **Informational Item**

**HazMat Routing:** SB19-032 titled Hazardous Materials Transportation Routing would authorize a public highway authority or governmental partner in a public-private partnership to apply to the Colorado State Patrol for a new or modified hazardous materials route designation for a road or highway that it directly or indirectly maintains. The bill is scheduled to be heard in Senate Transportation on January 22. Staff is currently reviewing the legislation for impacts and a position recommendation, if appropriate.

As you may recall, during the 2018 interim session, the Colorado/ Wyoming Petroleum Marketers Association submitted a draft proposal to the Transportation Legislative Review Committee (TLRC) that would prevent local government from ensuring the public safety of its residents by allowing CDOT to petition HazMat route designations on city or county roads for which it does not have jurisdiction. Under current law, it is the governmental entity with direct oversight, maintenance and public safety responsibility that maintains the petitioning authority to the Colorado State Patrol for HazMat route designations on roads within their political subdivision. The legislation also sought to expand this petitioning authority to include highway authorities, regional transportation authorities, and public-private partnerships. The TLRC declined to move the bill forward as a "committee sponsored" bill for 2019.

First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 19-0667.01 Ed DeCecco x4216

HOUSE BILL 19-1018

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HOUSE SPONSORSHIP

Bockenfeld,

SENATE SPONSORSHIP

(None),

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House Committees

Transportation & Local Government  
Finance

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE ELIMINATION OF A LOCAL GOVERNMENT'S  
102 AUTHORITY TO OPT OUT OF THE "UNCLAIMED PROPERTY ACT".

Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Currently, if a local government enacts a local law related to the disposition of abandoned intangible property it holds for an owner and the local law is inconsistent with the requirements of the "Unclaimed Property Act" (act), then the local law controls the disposition of the property. **Sections 2 and 4** of the bill eliminate this exception effective September 1, 2019, so that a local government is required to comply with

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.



the act like any other holder of abandoned intangible property. **Section 3** requires a local government that holds intangible property that was previously exempt from the act to pay or deliver the property to the administrator on or before January 1, 2020. **Section 1** specifies that a county's discretionary power to dispose of abandoned personal property acquired by an elected official or county employee only applies to tangible personal property and does not apply to intangible property, which is subject to the act.

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

2 **SECTION 1.** In Colorado Revised Statutes, 30-11-101, **amend**  
3 (1)(i) as follows:

4 **30-11-101. Powers of counties.** (1) Each organized county  
5 within the state shall be a body corporate and politic and as such shall be  
6 empowered for the following purposes:

7 (i) To dispose of abandoned TANGIBLE personal property acquired  
8 by an elected county official or county employee in performing official  
9 duties. ~~Said~~ THE TANGIBLE personal property may be disposed of only  
10 after the exercise of due diligence to determine the owner of such  
11 personal property. ~~Such~~ THE TANGIBLE personal property may be sold,  
12 discarded, or used for county purposes as the board of county  
13 commissioners deems to be in the best interests of the county. THE POWER  
14 CONFERRED TO A COUNTY UNDER THIS SUBSECTION (1)(i) DOES NOT APPLY  
15 TO INTANGIBLE PROPERTY, WHICH IS SUBJECT TO THE "UNCLAIMED  
16 PROPERTY ACT", ARTICLE 13 OF TITLE 38.

17 **SECTION 2.** In Colorado Revised Statutes, 38-13-104, **amend**  
18 (1) introductory portion as follows:

19 **38-13-104. General rules for taking custody of intangible**  
20 **unclaimed property.** (1) Unless otherwise provided in this ~~article~~  
21 ARTICLE 13 or by other statute, ~~or local law~~, intangible property is subject

1 to the custody of this state as unclaimed property if the conditions raising  
2 a presumption of abandonment under section 38-13-103 or sections  
3 38-13-105 to 38-13-109.7 are satisfied and:

4 **SECTION 3.** In Colorado Revised Statutes, 38-13-108.2, **add** (3)  
5 as follows:

6 **38-13-108.2. Property held by courts and public agencies.**

7 (3) IF ON SEPTEMBER 1, 2019, A LOCAL GOVERNMENT HOLDS INTANGIBLE  
8 PROPERTY FOR AN OWNER THAT IS PRESUMED ABANDONED IN  
9 ACCORDANCE WITH THIS SECTION OR ANY OTHER PROVISION OF LAW, BUT  
10 THE LOCAL GOVERNMENT HAD AN ORDINANCE OR RESOLUTION THAT PRIOR  
11 TO SEPTEMBER 1, 2019, PERMITTED THE LOCAL GOVERNMENT TO DISPOSE  
12 OF THE INTANGIBLE PROPERTY IN A MANNER THAT WAS INCONSISTENT  
13 WITH THIS ARTICLE 13, THEN THE LOCAL GOVERNMENT SHALL PAY OR  
14 DELIVER THE INTANGIBLE PROPERTY TO THE ADMINISTRATOR ON OR  
15 BEFORE JANUARY 1, 2020.

16 **SECTION 4.** In Colorado Revised Statutes, **amend** 38-13-134 as  
17 follows:

18 **38-13-134. Application of article to other sections.** This ~~article~~  
19 ARTICLE 13 applies to any unclaimed or intangible property as provided  
20 in this ~~article~~ ARTICLE 13; but, where there is a conflict between this  
21 ~~article~~ ARTICLE 13 and a specific statutory provision ~~or local law~~ relating  
22 to the disposition of tangible or intangible unclaimed property, such  
23 specific statutory provision ~~or local law~~ shall control the disposition of  
24 said property.

25 **SECTION 5. Act subject to petition - effective date.** This act  
26 takes effect September 1, 2019; except that, if a referendum petition is  
27 filed pursuant to section 1 (3) of article V of the state constitution against

1 this act or an item, section, or part of this act within the ninety-day period  
2 after final adjournment of the general assembly, then the act, item,  
3 section, or part will not take effect unless approved by the people at the  
4 general election to be held in November 2020 and, in such case, will take  
5 effect on the date of the official declaration of the vote thereon by the  
6 governor.

First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 19-0670.01 Jennifer Berman x3286

HOUSE BILL 19-1033

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HOUSE SPONSORSHIP

Tipper and Kennedy,

SENATE SPONSORSHIP

Fields and Priola,

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House Committees  
Health & Insurance

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING A LOCAL GOVERNMENT'S AUTHORITY TO REGULATE  
102 PRODUCTS CONTAINING NICOTINE.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

**Sections 1 through 3** of the bill authorize a county to enact a resolution or ordinance that prohibits a minor from possessing or purchasing cigarettes, tobacco products, or nicotine products. Sections 1 and 2 also authorize a county to impose regulations on cigarettes, tobacco products, or nicotine products that are more stringent than statewide regulations, including prohibiting sales to a person under 21 years of age,

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

and section 3 expressly authorizes a county to enact a resolution or ordinance regulating the sale of cigarettes, tobacco products, or nicotine products.

From state income tax money, the state currently apportions an amount equal to 27% of state cigarette tax revenues to cities, towns, and counties in proportion to the amount of state sales tax revenues collected within their boundaries. In order to receive their allocation of this money, cities, towns, and counties are prohibited from imposing their own fees, licenses, or taxes on cigarette sales or from attempting to impose a tax on cigarettes. **Section 4** removes this prohibition, thus allowing cities, towns, and counties to impose fees, licenses, or taxes on cigarette sales without losing their apportioned state cigarette tax revenues.

**Section 5** authorizes a county, if approved by a vote of the people within the county, to impose a special sales tax on the sale of cigarettes, tobacco products, or nicotine products and provides a mechanism by which a county's special sales tax applies to a municipality within the boundary of the county unless the municipality, if approved by a vote of the people within the municipality, enacts its own such special sales tax; however, the county and municipality may then enter into an intergovernmental agreement authorizing the county to continue to levy, collect, and enforce its special sales tax within the corporate limits of the municipality.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-13-121, **amend**  
3 (3) as follows:

4 **18-13-121. Furnishing cigarettes, tobacco products, or nicotine**  
5 **products to minors.** (3) Nothing in this section prohibits a statutory or  
6 home rule municipality, COUNTY, OR CITY AND COUNTY from enacting an  
7 ordinance OR RESOLUTION that prohibits a ~~person under eighteen years of~~  
8 ~~age~~ MINOR from purchasing any cigarettes, tobacco products, or nicotine  
9 products or imposes requirements more stringent than provided in this  
10 section.

11 **SECTION 2.** In Colorado Revised Statutes, 25-14-301, **amend**  
12 (3)(c) and (4) as follows:

13 **25-14-301. Possession of cigarettes, tobacco products, or**

1 **nicotine products by a minor prohibited - definitions.** (3) As used in  
2 this section, unless the context otherwise requires:

3 (c) "Tobacco product" ~~shall have~~ HAS the same meaning as ~~set~~  
4 ~~forth in~~ "CIGARETTE, TOBACCO PRODUCT, OR NICOTINE PRODUCT", AS  
5 DEFINED IN section 18-13-121 (5). ~~C.R.S.~~

6 (4) Nothing in this section ~~shall be construed to prohibit any~~  
7 PROHIBITS A statutory or home rule municipality, COUNTY, OR CITY AND  
8 COUNTY from enacting an ordinance OR RESOLUTION that prohibits the  
9 possession of cigarettes, ~~or~~ tobacco products, OR NICOTINE PRODUCTS by  
10 a ~~person who is under eighteen years of age~~ MINOR or imposes  
11 requirements more stringent than provided in this section.

12 **SECTION 3.** In Colorado Revised Statutes, 30-15-401, **amend**  
13 (1.5) as follows:

14 **30-15-401. General regulations - definitions.** (1.5) In addition  
15 to any other powers, the board of county commissioners has the power to  
16 adopt a resolution or an ordinance ~~prohibiting minors from possessing~~ TO  
17 REGULATE THE POSSESSION OR PURCHASING OF cigarettes, ~~or~~ tobacco  
18 products, OR NICOTINE PRODUCTS, as defined by section ~~39-28.5-101(5);~~  
19 ~~C.R.S.~~ 18-13-121 (5), BY A MINOR OR TO REGULATE THE SALE OF  
20 CIGARETTES, TOBACCO PRODUCTS, OR NICOTINE PRODUCTS TO MINORS.

21 **SECTION 4.** In Colorado Revised Statutes, 39-22-623, **amend**  
22 (1) introductory portion and (1)(a)(II)(A) as follows:

23 **39-22-623. Disposition of collections - definition.** (1) The  
24 proceeds of all ~~moneys~~ MONEY collected under this ~~article~~ ARTICLE 22,  
25 less the reserve retained for refunds, shall be credited as follows:

26 (a) (II) (A) Effective July 1, 1987, an amount equal to  
27 twenty-seven percent of the gross state cigarette tax shall be apportioned

1 to incorporated cities and incorporated towns ~~which~~ THAT levy taxes and  
2 adopt formal budgets and to counties. For the purposes of this section, a  
3 city and county ~~shall be~~ IS considered as a city. The city or town share  
4 shall be apportioned according to the percentage of state sales tax  
5 revenues collected by the department of revenue in an incorporated city  
6 or town as compared to the total state sales tax collections that may be  
7 allocated to all political subdivisions in the state; the county share shall  
8 be the same as that which the percentage of state sales tax revenues  
9 collected in the unincorporated area of the county bears to total state sales  
10 tax revenues ~~which~~ THAT may be allocated to all political subdivisions in  
11 the state. The department of revenue shall certify to the state treasurer, at  
12 least annually, the percentage for allocation to each city, town, and  
13 county, and ~~such~~ THE DEPARTMENT SHALL APPLY THE percentage for  
14 allocation ~~so~~ certified ~~shall be applied by said department~~ in all  
15 distributions to cities, towns, and counties until changed by certification  
16 to the state treasurer. ~~In order to qualify for distributions of state income~~  
17 ~~tax moneys, units of local government are prohibited from imposing fees,~~  
18 ~~licenses, or taxes on any person as a condition for engaging in the~~  
19 ~~business of selling cigarettes or from attempting in any manner to impose~~  
20 ~~a tax on cigarettes.~~ For purposes of this ~~paragraph (a)~~ SUBSECTION  
21 (1)(a)(II), the "gross state cigarette tax" means the total tax before the  
22 discount provided for in section 39-28-104 (1).

23 **SECTION 5.** In Colorado Revised Statutes, **amend** 39-28-112 as  
24 follows:

25 **39-28-112. Taxation of cigarettes, tobacco products, or**  
26 **nicotine products by municipalities, counties, and city and counties**  
27 **- definitions.** (1) ~~No provision of This article shall be construed to~~

1 ARTICLE 28 DOES NOT prevent ~~the~~ A CITY, TOWN, COUNTY, OR CITY AND  
2 COUNTY IN THIS STATE FROM imposing, levying, and collecting ~~of~~ any  
3 SPECIAL SALES tax upon sales of cigarettes, TOBACCO PRODUCTS, OR  
4 NICOTINE PRODUCTS, or upon the occupation or privilege of selling  
5 cigarettes, ~~by any city or town in this state~~ TOBACCO PRODUCTS, OR  
6 NICOTINE PRODUCTS, nor ~~shall the provisions of~~ DOES this article be  
7 ~~interpreted to~~ ARTICLE 28 affect any existing authority of local  
8 ~~municipalities~~ GOVERNMENTS to impose a SPECIAL SALES tax on  
9 cigarettes, TOBACCO PRODUCTS, AND NICOTINE PRODUCTS to be used for  
10 local and ~~municipal~~ GOVERNMENTAL purposes.

11 (2) (a) EACH COUNTY IN THE STATE IS AUTHORIZED TO LEVY,  
12 COLLECT, AND ENFORCE A COUNTY SPECIAL SALES TAX UPON ALL SALES  
13 OF CIGARETTES, TOBACCO PRODUCTS, OR NICOTINE PRODUCTS UNDER THE  
14 FOLLOWING CIRCUMSTANCES:

15 (I) A COUNTY MAY LEVY, COLLECT, AND ENFORCE A COUNTY  
16 SPECIAL SALES TAX UPON ALL SALES OF CIGARETTES, TOBACCO PRODUCTS,  
17 OR NICOTINE PRODUCTS PURSUANT TO THIS SUBSECTION (2) IN THE  
18 UNINCORPORATED AREAS OF THE COUNTY;

19 (II) A COUNTY MAY LEVY, COLLECT, AND ENFORCE A COUNTY  
20 SPECIAL SALES TAX UPON ALL SALES OF CIGARETTES, TOBACCO PRODUCTS,  
21 OR NICOTINE PRODUCTS PURSUANT TO THIS SUBSECTION (2) IN THE  
22 MUNICIPALITIES WITHIN THE BOUNDARIES OF THE COUNTY, IN WHOLE OR  
23 IN PART, THAT DO NOT LEVY A MUNICIPAL SPECIAL SALES TAX ON THE SALE  
24 OF CIGARETTES, TOBACCO PRODUCTS, OR NICOTINE PRODUCTS. THE  
25 COUNTY MAY LEVY A SPECIAL SALES TAX IN A MUNICIPALITY PURSUANT  
26 TO THIS SUBSECTION (2)(a)(II) ONLY UNTIL THE MUNICIPALITY OBTAINS  
27 VOTER APPROVAL TO LEVY A MUNICIPAL SPECIAL SALES TAX ON



1 CIGARETTES, TOBACCO PRODUCTS, OR NICOTINE PRODUCTS. IF THE  
2 MUNICIPALITY OBTAINS SUCH VOTER APPROVAL, THE COUNTY SPECIAL  
3 SALES TAX AUTHORIZED BY THIS SUBSECTION (2)(a)(II) IS INVALID WITHIN  
4 THE CORPORATE LIMITS OF THE MUNICIPALITY UNLESS THE COUNTY  
5 ENTERS INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE  
6 MUNICIPALITY PURSUANT TO SUBSECTION (2)(a)(III) OF THIS SECTION  
7 THAT AUTHORIZES THE COUNTY TO CONTINUE TO LEVY, COLLECT, AND  
8 ENFORCE THE SPECIAL SALES TAX ON CIGARETTES, TOBACCO PRODUCTS,  
9 OR NICOTINE PRODUCTS WITHIN THE CORPORATE LIMITS OF THE  
10 MUNICIPALITY.

11 (III) A COUNTY MAY LEVY, COLLECT, AND ENFORCE A COUNTY  
12 SPECIAL SALES TAX UPON ALL SALES OF CIGARETTES, TOBACCO PRODUCTS,  
13 OR NICOTINE PRODUCTS PURSUANT TO THIS SUBSECTION (2) IN EACH  
14 MUNICIPALITY WITHIN THE BOUNDARIES OF THE COUNTY, IN WHOLE OR IN  
15 PART, THAT LEVIES A MUNICIPAL SPECIAL SALES TAX ON THE SALE OF  
16 CIGARETTES, TOBACCO PRODUCTS, OR NICOTINE PRODUCTS, IF THE  
17 GOVERNING BODY OF THE COUNTY AND THE GOVERNING BODY OF THE  
18 MUNICIPALITY ENTER INTO AN INTERGOVERNMENTAL AGREEMENT  
19 PERTAINING TO THE COUNTY'S LEVY, COLLECTION, AND ENFORCEMENT OF  
20 A COUNTY SPECIAL SALES TAX UPON ALL SALES OF ALL CIGARETTES,  
21 TOBACCO PRODUCTS, OR NICOTINE PRODUCTS WITHIN THE CORPORATE  
22 LIMITS OF THE MUNICIPALITY. AN INTERGOVERNMENTAL AGREEMENT  
23 PURSUANT TO THIS SUBSECTION (2)(a)(III) MAY INCLUDE A PROVISION FOR  
24 THE APPORTIONMENT OF A SPECIFIED PERCENTAGE OF THE GROSS COUNTY  
25 CIGARETTES, TOBACCO PRODUCTS, OR NICOTINE PRODUCTS SPECIAL SALES  
26 TAX REVENUE COLLECTED BY THE COUNTY TO THE MUNICIPALITY.

27 (b) NOTWITHSTANDING SECTION 29-2-103 (2), A COUNTY MAY

1 LEVY, COLLECT, AND ENFORCE A SPECIAL SALES TAX PURSUANT TO THIS  
2 SUBSECTION (2) IN LESS THAN THE ENTIRE COUNTY WHEN THE COUNTY  
3 SATISFIES ONE OR MORE OF THE CONDITIONS OF THIS SUBSECTION (2).

4 (c) NO SPECIAL SALES TAX SHALL BE LEVIED PURSUANT TO THIS  
5 SUBSECTION (2) UNTIL THE PROPOSAL HAS BEEN REFERRED TO AND  
6 APPROVED BY THE ELIGIBLE ELECTORS OF THE COUNTY IN ACCORDANCE  
7 WITH ARTICLE 2 OF TITLE 29. ANY PROPOSAL FOR THE LEVY OF A SPECIAL  
8 SALES TAX IN ACCORDANCE WITH THIS SUBSECTION (2) SHALL BE  
9 SUBMITTED TO THE ELIGIBLE ELECTORS OF THE COUNTY ONLY ON THE  
10 DATE OF THE STATE GENERAL ELECTION OR ON THE FIRST TUESDAY IN  
11 NOVEMBER OF AN ODD-NUMBERED YEAR. ANY ELECTION ON THE  
12 PROPOSAL MUST BE CONDUCTED BY THE COUNTY CLERK AND RECORDER  
13 IN ACCORDANCE WITH THE "UNIFORM ELECTION CODE OF 1992", ARTICLES  
14 1 TO 13 OF TITLE 1.

15 (3) IF A COUNTY LEVIES, COLLECTS, AND ENFORCES A SPECIAL  
16 SALES TAX IN A MUNICIPALITY THAT HAS ALREADY OBTAINED VOTER  
17 APPROVAL TO LEVY A MUNICIPAL SPECIAL SALES TAX ON THE SALE OF  
18 CIGARETTES, TOBACCO PRODUCTS, OR NICOTINE PRODUCTS, THE COUNTY  
19 SPECIAL SALES TAX IS INVALID WITHIN THE CORPORATE LIMITS OF THE  
20 MUNICIPALITY UNLESS THE COUNTY ENTERS INTO AN  
21 INTERGOVERNMENTAL AGREEMENT WITH THE MUNICIPALITY PURSUANT  
22 TO SUBSECTION (2)(a)(III) OF THIS SECTION THAT AUTHORIZES THE  
23 COUNTY TO CONTINUE TO LEVY, COLLECT, AND ENFORCE THE SPECIAL  
24 SALES TAX ON CIGARETTES, TOBACCO PRODUCTS, OR NICOTINE PRODUCTS  
25 WITHIN THE CORPORATE LIMITS OF THE MUNICIPALITY.

26 (4) (a) NOTWITHSTANDING ARTICLE 2 OF TITLE 29, A SPECIAL  
27 SALES TAX IMPOSED BY A COUNTY OR MUNICIPALITY PURSUANT TO THIS

1 SECTION SHALL NOT BE COLLECTED, ADMINISTERED, OR ENFORCED BY THE  
2 DEPARTMENT OF REVENUE, BUT SHALL INSTEAD BE COLLECTED,  
3 ADMINISTERED, AND ENFORCED BY THE COUNTY OR MUNICIPALITY  
4 IMPOSING THE SPECIAL SALES TAX.

5 (b) A COUNTY OR MUNICIPALITY IN WHICH A SPECIAL SALES TAX  
6 IS IMPOSED PURSUANT TO THIS SECTION MAY AUTHORIZE A RETAILER  
7 SELLING CIGARETTES, TOBACCO PRODUCTS, OR NICOTINE PRODUCTS TO  
8 RETAIN A PERCENTAGE OF THE SPECIAL SALES TAX COLLECTED PURSUANT  
9 TO THIS SECTION TO COVER THE EXPENSES OF COLLECTING AND REMITTING  
10 THE SPECIAL SALES TAX TO THE COUNTY OR MUNICIPALITY. THE COUNTY  
11 OR MUNICIPALITY SHALL DETERMINE THE PERCENTAGE THAT A RETAILER  
12 MAY RETAIN PURSUANT TO THIS SUBSECTION (4)(b).

13 (5) A COUNTY OR MUNICIPALITY IN WHICH THE ELIGIBLE ELECTORS  
14 HAVE APPROVED A SPECIAL SALES TAX PURSUANT TO THIS SECTION MAY  
15 CREDIT THE REVENUES COLLECTED FROM THE SPECIAL SALES TAX TO THE  
16 GENERAL FUND OF THE COUNTY OR MUNICIPALITY OR TO ANY SPECIAL  
17 FUND CREATED IN THE COUNTY'S OR MUNICIPALITY'S TREASURY. THE  
18 GOVERNING BODY OF A COUNTY OR MUNICIPALITY MAY USE REVENUES  
19 COLLECTED FROM THE SPECIAL SALES TAX IMPOSED PURSUANT TO THIS  
20 SECTION FOR ANY PURPOSE AS DETERMINED BY THE GOVERNING BODY.

21 (6) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
22 REQUIRES:

23 (a) "CIGARETTES, TOBACCO PRODUCTS, OR NICOTINE PRODUCTS"  
24 HAS THE SAME MEANING AS SET FORTH IN SECTION 18-13-121 (5).

25 (b) "SPECIAL SALES TAX" MEANS A SALES TAX IMPOSED BY A  
26 LOCAL GOVERNMENT THAT IS SEPARATE FROM A GENERAL SALES TAX  
27 IMPOSED PURSUANT TO SECTION 29-2-102 OR 29-2-103, AS APPLICABLE,

1 AND MAY BE IMPOSED IN ADDITION TO THE TAXES IMPOSED PURSUANT TO  
2 THIS PART 1.

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

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 19-0474.01 Thomas Morris x4218

**HOUSE BILL 19-1035**

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**HOUSE SPONSORSHIP**

**Rich and Roberts,**

**SENATE SPONSORSHIP**

**Woodward,**

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**House Committees**

Transportation & Local Government

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING AN INCREASE IN THE FLEXIBILITY TO SET FEES FOR**  
102              **ELECTRICAL INSPECTIONS THAT ARE NOT CONDUCTED BY THE**  
103              **STATE.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

Current law prohibits local governments and state institutions of higher education from charging more than 15% more than the state charges to perform an inspection of electrical work. The bill deletes this cap.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, 12-23-117, **amend**  
3 (2) as follows:

4 **12-23-117. Permit fees.** (2) Because electrical inspections are  
5 matters of statewide concern, ~~the maximum fees, established annually,~~  
6 ~~chargeable for electrical inspections by any city, town, county, city and~~  
7 ~~county, or qualified state institution of higher education shall not be more~~  
8 ~~than fifteen percent above those provided for in this section, and no such~~  
9 A local government or qualified state institution of higher education shall  
10 NOT impose or collect any ~~other~~ fee or charge related to electrical  
11 inspections or permits OTHER THAN FOR ELECTRICAL INSPECTIONS. A  
12 qualified state institution of higher education may choose not to require  
13 fees as part of the permitting process. A documented permitting and  
14 inspection system must be instituted by each qualified state institution of  
15 higher education as a tracking system that is available to the board for the  
16 purpose of investigating any alleged violation of this ~~article~~ ARTICLE 23.  
17 The permitting and inspection system must include information  
18 specifying the project, the name of the inspector, the date of the  
19 inspection, the job-site address, the scope of the project, the type of the  
20 inspection, the result of the inspection, the reason and applicable code  
21 sections for partially passed or failed inspections, and the names of the  
22 contractors on the project who are subject to inspection.

23 **SECTION 2. Act subject to petition - effective date.** This act  
24 takes effect at 12:01 a.m. on the day following the expiration of the  
25 ninety-day period after final adjournment of the general assembly (August  
26 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the  
2 state constitution against this act or an item, section, or part of this act  
3 within such period, then the act, item, section, or part will not take effect  
4 unless approved by the people at the general election to be held in  
5 November 2020 and, in such case, will take effect on the date of the  
6 official declaration of the vote thereon by the governor.

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 19-0422.02 Jerry Barry x4341

**SENATE BILL 19-030**

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**SENATE SPONSORSHIP**

**Gonzales,**

**HOUSE SPONSORSHIP**

**(None),**

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**Senate Committees**  
Judiciary

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING A REMEDY FOR IMPROPERLY ENTERED GUILTY PLEAS.**

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill finds that some criminal defendants who, when they entered a guilty plea in connection with a deferred judgment, were not advised that there may be additional penalties that attach to the plea even if the plea is later withdrawn and the case is dismissed. These defendants did not knowingly, intelligently, and voluntarily enter the plea of guilty as required by law. The bill authorizes these persons to petition the court for an order vacating the guilty plea.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.



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

2           **SECTION 1.** In Colorado Revised Statutes, 18-1.3-102, **add** (5)  
3 as follows:

4           **18-1.3-102. Deferred sentencing of defendant - legislative**  
5 **declaration.** (5) (a) THE GENERAL ASSEMBLY FINDS THAT MOST  
6 DEFENDANTS SIGNED A WRITTEN STIPULATION AND ENTERED A PLEA OF  
7 GUILTY PURSUANT TO SUBSECTION (2) OF THIS SECTION WHO WERE NOT  
8 INFORMED THAT EVEN THOUGH THE GUILTY PLEA WOULD BE WITHDRAWN  
9 AND THE CASE DISMISSED WITH PREJUDICE, THE MERE ENTERING OF THE  
10 PLEA COULD STILL RESULT IN PENALTIES, INCLUDING ADVERSE  
11 IMMIGRATION CONSEQUENCES. THE GENERAL ASSEMBLY RECOGNIZES  
12 THAT WHEN THOSE PENALTIES ATTACHED TO A PLEA NOTWITHSTANDING  
13 THE SUBSEQUENT WITHDRAWAL OF THE PLEA AND DISMISSAL OF THE  
14 CHARGES, THE STATUTORY LANGUAGE DESCRIBING THE OPERATION OF A  
15 DEFERRED JUDGMENT AND SENTENCE, AND THE ASSOCIATED FORMS AND  
16 COURT COLLOQUIES RELATED TO THE ENTRY OF THE PLEA, RESULTED IN A  
17 FAILURE TO PROPERLY APPRISE THE DEFENDANT OF THE PENALTY  
18 ASSOCIATED WITH THE PLEA. THEREFORE, THE RECORD IN THOSE CASES  
19 DOES NOT DEMONSTRATE, AS REQUIRED BY THE UNITED STATES  
20 CONSTITUTION, THE COLORADO CONSTITUTION, AND THE COLORADO  
21 RULES OF CRIMINAL PROCEDURE, THAT THE DEFENDANT KNOWINGLY,  
22 INTELLIGENTLY, AND VOLUNTARILY ENTERED THE PLEA OF GUILTY.

23           (b) A DEFENDANT WHO HAS ENTERED A PLEA OF GUILTY THAT HAS  
24 BEEN WITHDRAWN AND THE CHARGES AND SENTENCE DISMISSED WITH  
25 PREJUDICE MAY, AT ANY TIME, PETITION THE COURT FOR AN ORDER  
26 VACATING THE PLEA ON THE GROUNDS THAT THE RECORD DOES NOT

1 DEMONSTRATE THAT THE DEFENDANT WAS APPRISED OF ALL PENALTIES  
2 ASSOCIATED WITH THE GUILTY PLEA. THE COURT SHALL GRANT THE  
3 PETITION AND ORDER THAT THE PLEA IS VACATED AS A VIOLATION OF THE  
4 UNITED STATES CONSTITUTION, THE COLORADO CONSTITUTION, AND THE  
5 COLORADO RULES OF CRIMINAL PROCEDURE IF THE COURT IS SATISFIED  
6 THAT THE DEFENDANT WOULD SUFFER A PENALTY FROM THE GUILTY PLEA,  
7 UNLESS THE RECORD AFFIRMATIVELY AND UNEQUIVOCALLY  
8 DEMONSTRATES THAT THE DEFENDANT WAS ADVISED, AT THE TIME THAT  
9 THE DEFENDANT ENTERED THE PLEA, THAT THE PENALTY WOULD REMAIN  
10 DESPITE THE SUBSEQUENT WITHDRAWAL OF THE PLEA AND DISMISSAL OF  
11 THE CHARGES. THE PETITION MAY RAISE ANY OTHER GROUNDS ON WHICH  
12 THE DEFENDANT SEEKS TO WITHDRAW THE PLEA, AND THE COURT HAS  
13 JURISDICTION TO CONSIDER THOSE GROUNDS.

14 **SECTION 2. Applicability.** This act applies to charges that were  
15 dismissed before, on, or after the effective date of this act.

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

# STATE OF COLORADO

## OFFICE OF THE GOVERNOR

January 15, 2019



Jared Polis  
Governor

To the Joint Budget Committee, General Assembly, and the people of Colorado,

It is with great pleasure that I submit to you my first budget proposal as Colorado's 43rd Governor. This budget, one of the first official documents of my administration, lays a strong foundation for a bold vision for our state. This is the first of many steps our administration will take to establish economic security for children, families, and small businesses. Although we continue to be a national model for economic growth, bipartisanship, and opportunity — far too many Coloradans are still barely getting by or are falling behind.

We must ensure that our state's success is working for everybody, whether you are a farmer whose livelihood is in danger due to drought, a young professional whose income isn't keeping up with housing costs, or a parent barely able to afford paying tuition to keep your child in full-day kindergarten.



**Together, we're going to build an economy where Coloradans from all walks of life don't just get by, but thrive.**

- Governor Polis

## Education

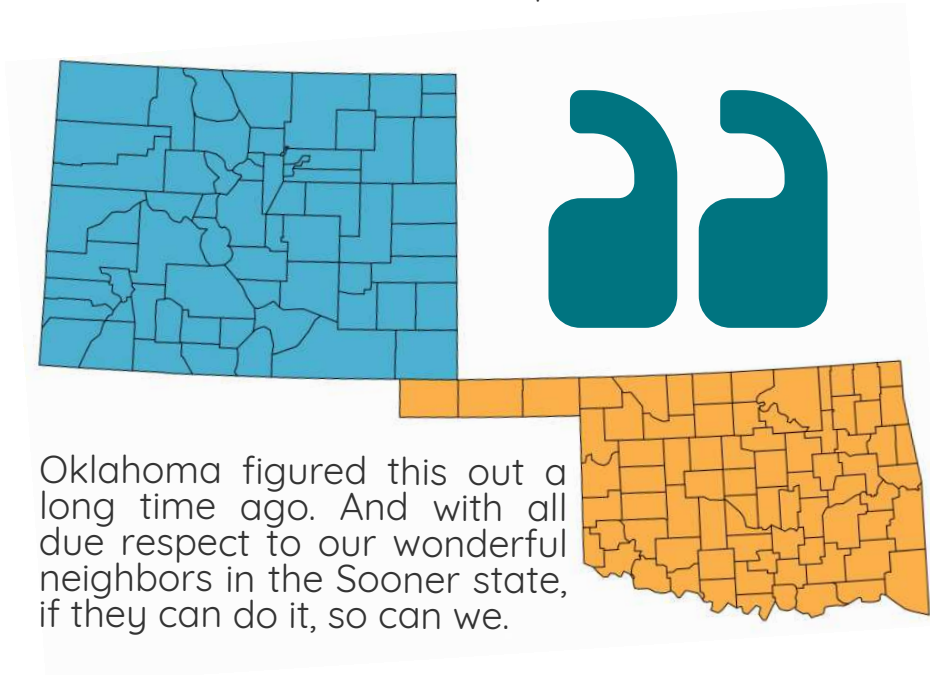


It's time for Colorado to build an education system that gives every single child — regardless of zip code, race, ethnicity, gender, sexual orientation, socioeconomic, or any other status — the tools to build a great life and succeed.

My top priority this year is to take the first step in building this system by providing access to free, full-day kindergarten to every child in Colorado. We have made progress over the years, through hard work and tough decisions by local school districts, but there are still 13,000 children without access to full-day kindergarten.

# Education, cont'd

For those children who do have access, many are charged tuition – sometimes more than \$500 each month. As a result, our system of early education is uneven and costly and deprives some children of educational opportunity at a crucial time in their development.



Saving parents as much as

**\$500+**

**IN MONTHLY TUITION FOR FULL-DAY KINDERGARTEN**



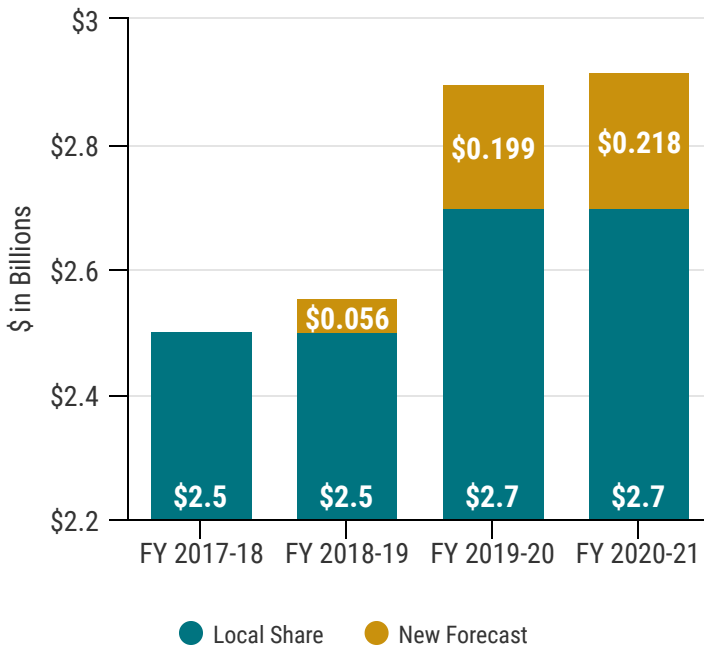
- Governor Polis

It is time for the state to step up and fund free, full-day kindergarten for all districts. This is the time to do so. Local funding for school districts has increased substantially because property values are increasing more than was forecast. The most recent economic forecast from Legislative Council indicated that the local share of K-12 education funding, derived from local property taxes, is projected to save the state hundreds of millions of dollars each year.

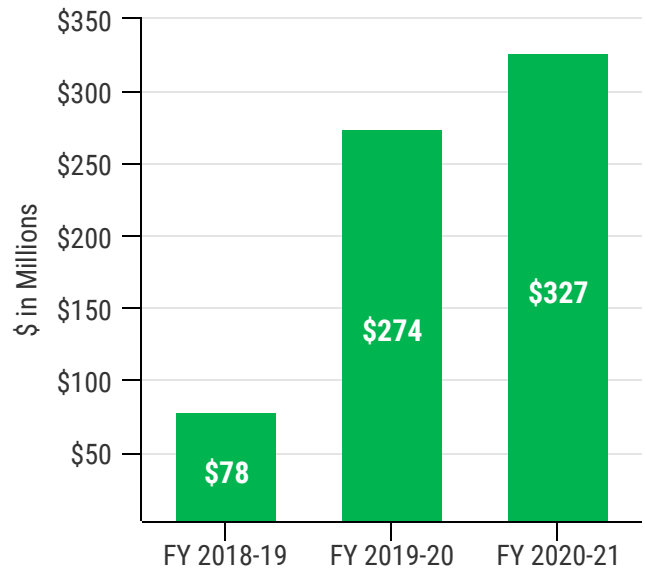
# Education, cont'd

These resources, combined with lower forecasted growth in enrollment and inflation, have helped free up the funds for full-day kindergarten. The shift creates room in the current year's budget and in all the years of the budget forecast. See charts below.

Additional Local Revenue for School Districts

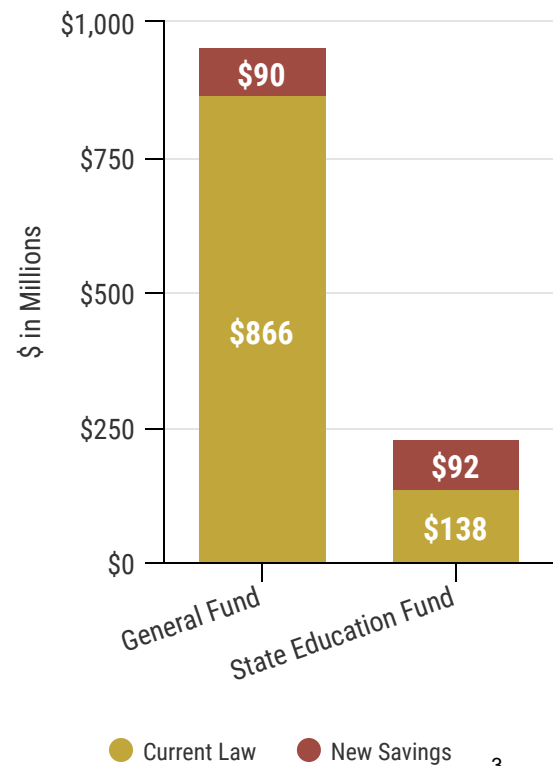


Freed Up State Resources from New Forecasts



We can leverage our state's improved economy to benefit our schools without sacrificing other budget priorities, including the \$77 million reduction in the Budget Stabilization Factor requested by the previous administration, and the prudent increase in the General Fund reserve to 8% (+\$90 million), bringing savings in the General Fund to nearly \$1 billion. In addition, my proposal doubles the budget's increase to rainy day savings by transferring \$92 million of unspent General Fund to the \$138 million in reserves in the State Education Fund. This will help protect our top priority, our children's future, in less robust economic times.

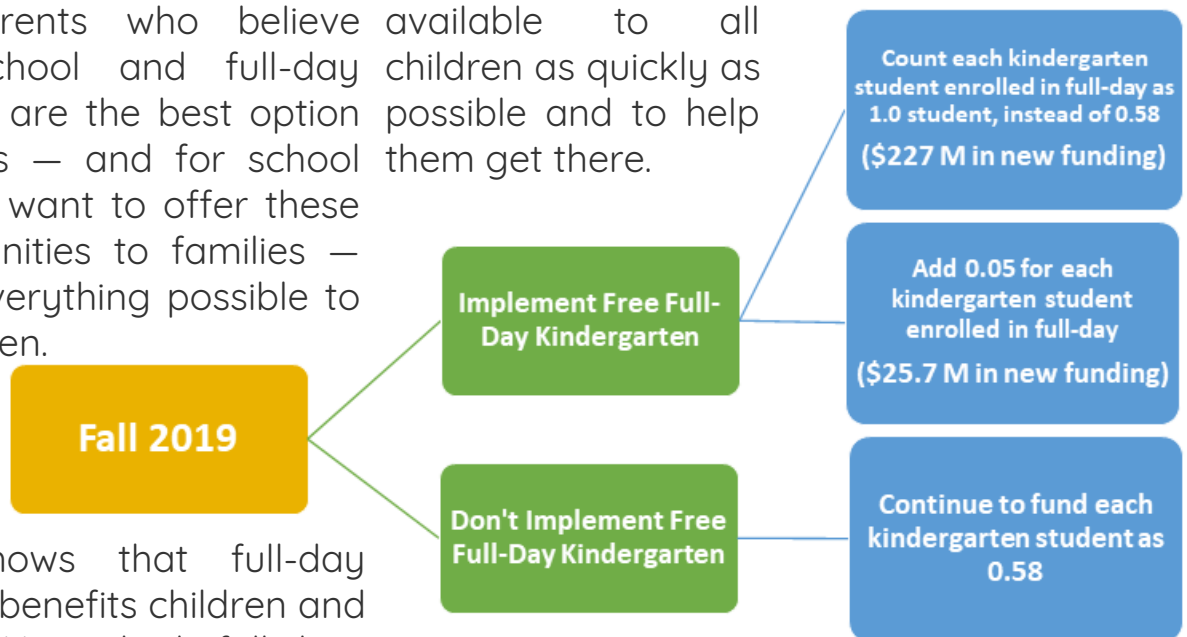
Adding to Reserves



# Education, cont'd

My proposal includes \$227 million to empower every community in Colorado to provide free full-day kindergarten to every child, instead of the half-day kindergarten that the state currently funds. And I want to be clear: this is not a mandate, either for parents or for school districts. But for parents who believe public preschool and full-day kindergarten are the best option for their kids — and for school districts who want to offer these vital opportunities to families — we will do everything possible to make it happen.

The budget includes additional funding for implementation costs at \$25.7 million. This equates to an additional 5% bonus per student enrolled in full-day kindergarten to ensure curriculum, supplies, and classroom space can be made available for Fall of 2019. I have included implementation funding to encourage school districts to make free full-day kindergarten available to all children as quickly as possible and to help them get there.



Research shows that full-day kindergarten benefits children and their families. Not only do full-day

programs help improve young children's learning in both math and reading, they also can produce long-term educational gains for low-income and minority students, reduce the time parents/guardians spend transporting children between home, school, and child care, and give teachers more time to identify and address children's learning challenges.

The economic benefits of full-day kindergarten have the potential to save taxpayers money over the long term — both through increased parental participation in the labor market, and stronger academic outcomes for children. Full-day kindergarten has also been shown to instill self-confidence in young students and improve their ability to get along with others. Our education system should be one that focuses on the whole child, with support systems that build well-rounded, engaged citizens, not just good test-takers. My proposal will make significant progress in making this comprehensive approach to education a reality.



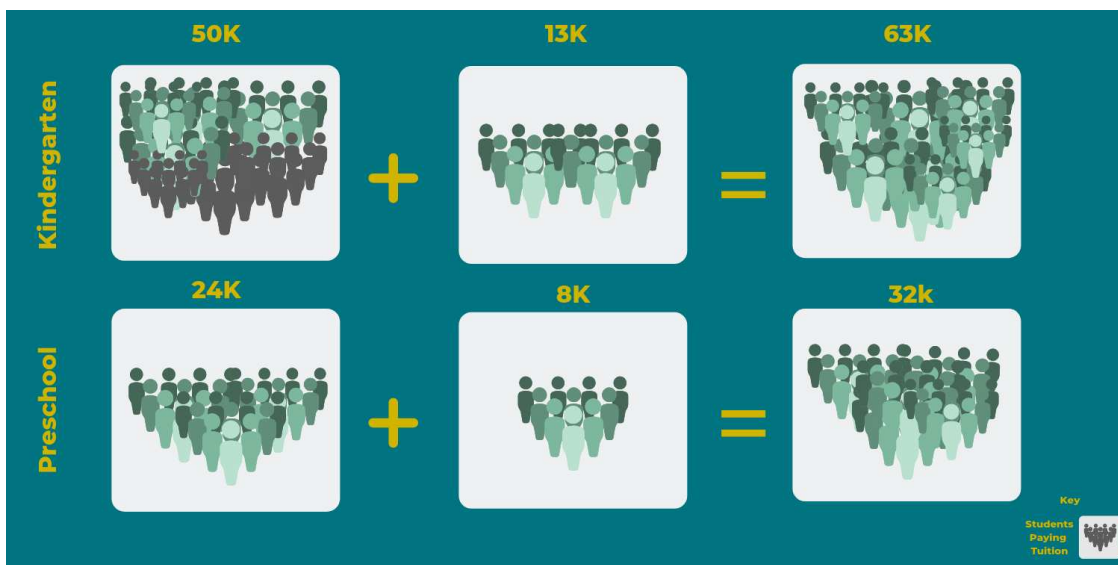
# Education, cont'd

Because many schools are already providing full-day kindergarten programs within their existing budgets, our new investment will allow these districts to redirect those funds to new priorities, freeing up formerly dedicated resources to be invested elsewhere.

# \$100 Million

MAY NOW BE REDIRECTED TO OTHER DISTRICT PRIORITIES, SUCH AS INCREASING TEACHER PAY AND REDUCING CLASS SIZES

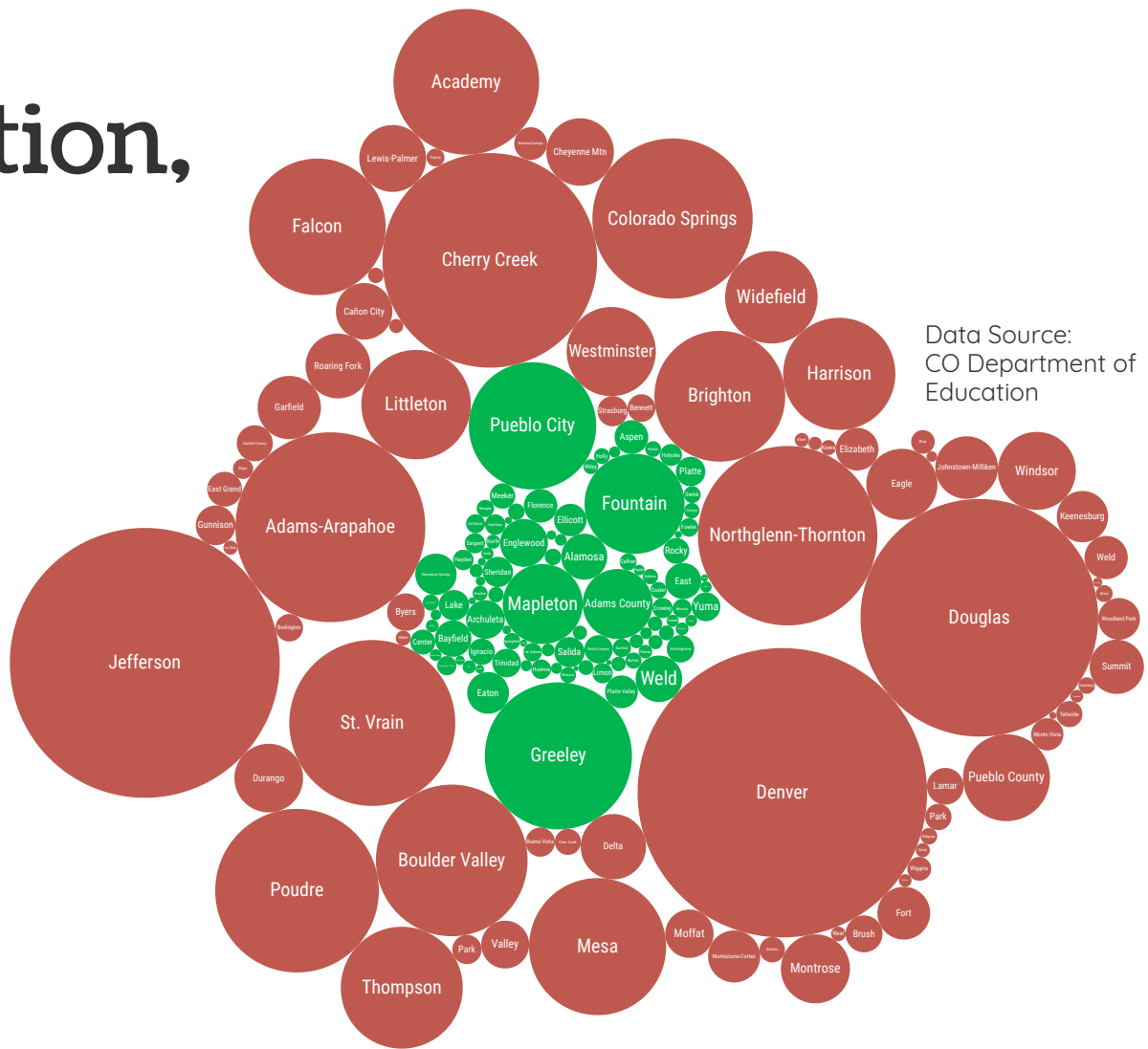
In addition to saving Colorado families the several hundred dollars per month in tuition they are commonly paying, this \$227 million investment frees up approximately \$100 million of their own funds that school districts are currently diverting to provide full-day kindergarten. This \$100 million in freed up resources can be used flexibly, including to increase teacher pay and reduce class size. Moreover, providing state funding for full-day kindergarten will make room to enroll an additional 5,136 at-risk children into preschool. Because the estimate of at-risk children currently on waitlists or otherwise eligible is more than 8,000, my proposal includes an additional \$13 million to fund preschool for the additional 3,066 children, eliminating this gap and providing high-quality preschool to more children. Preschool and full-day kindergarten help with earlier special needs identification and intervention. Early interventions reduce special education costs over time and ensure all learners achieve.



Our total investment allows an additional 13,000 children to access all day kindergarten, approximately 30,000 families to stop paying tuition for full-day kindergarten, and an additional 8,000 children to attend preschool. Combined, my proposal saves tens of thousands of families hundreds of hard-earned dollars each month.

# Education, cont'd

The chart on the right shows all of Colorado's school districts, by the number of kindergartners they serve. The bubble is colored green if the district offers full-day kindergarten to at least 90% of their population, AND it is offered tuition-free.



Although continuing the buy-down of the Budget Stabilization Factor and funding early childhood education is a major investment in public education, we also carve out some room for targeted and impactful programmatic investments. Colorado's Education Leadership Council has done admirable work in a number of areas, including suggesting ways to build and strengthen community partnerships to address schoolwide mental and behavioral health. My budget continues the \$10 million proposed by Governor Hickenlooper to support proposals aligned with the Council's recommendations, including professional development for principals.

My budget also continues the \$6.5 million proposed for teachers' education costs, using these funds to support and expand the legislature's efforts to provide teacher loan forgiveness and incentives to teach in rural areas. These priorities will help address our educator shortage, which is having a devastating effect on public schools across the state. Loan forgiveness helps teachers increase their take-home pay so they can afford to live in the communities they serve.



# Education, cont'd

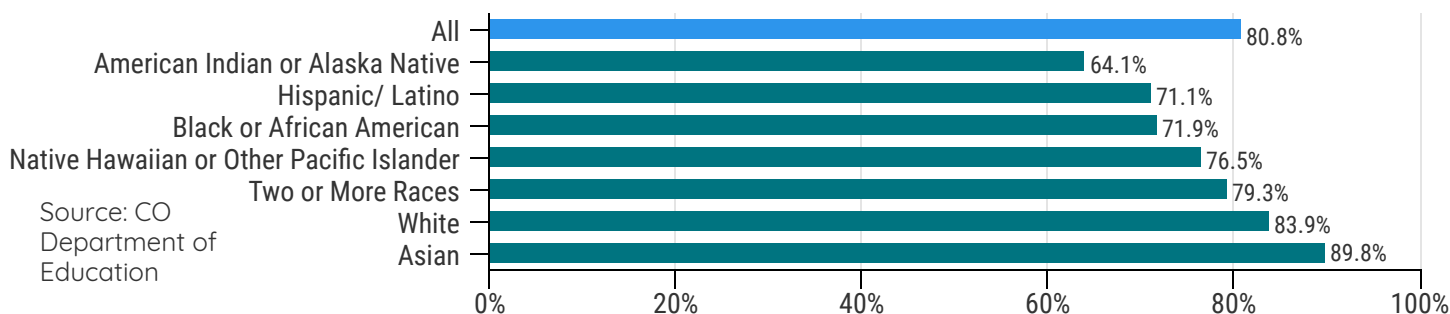
In addition, despite incremental progress in the past few years, Colorado's high school graduation rate lags well below our peers, and is particularly low for low-income and minority students. In support of this work, I am including \$2 million dedicated to data-driven programs that help freshmen in our high schools with the highest dropout rates stay on-track and develop the skills they need to graduate and go on to live healthy and productive lives.

# 10,421

Colorado  
**DROPOUTS**  
IN 2017

One of the best ways to make higher education more affordable is to make it easier for students to finish their degree programs as quickly as possible, particularly in our 15 community colleges across the state. My budget sets aside funding to provide community colleges with a program coordinator to increase dual and concurrent enrollment opportunities statewide, helping students get to the finish line quickly and reduce their total cost of attendance.

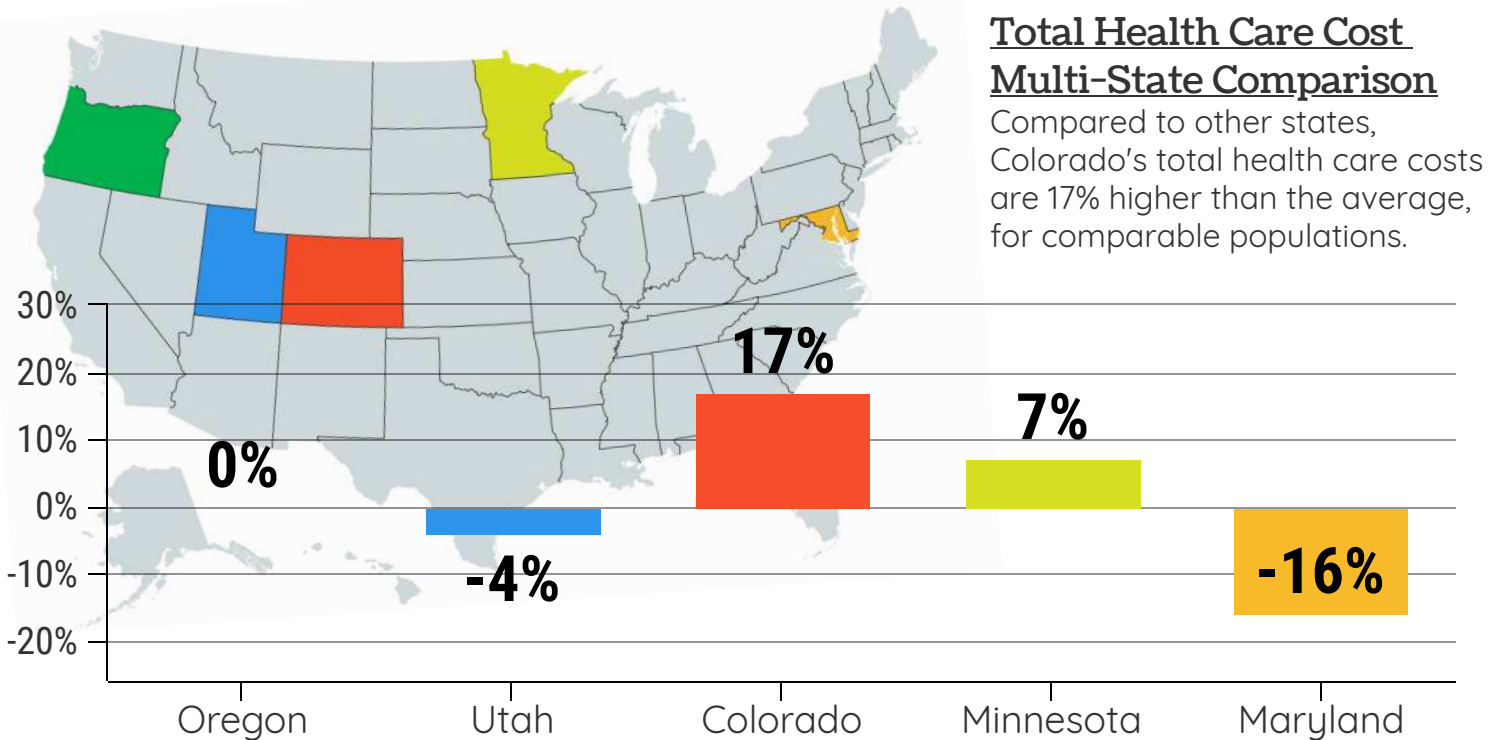
Colorado High School Graduation Rate by Race



My administration's budget continues Governor Hickenlooper's proposal to fund higher education at \$121 million to hold tuition flat. Holding tuition flat for one year is a step in the right direction, but we cannot simply throw more money at the problem and expect things to change. So let me be clear, this money is to relieve the pressure on our current students, it is not a substitute for a serious policy and stakeholder process to get a grip on the cost drivers of higher education that are leaving our students saddled with debt they cannot afford. A one-year tuition freeze is not a solution. Over 700,000 Coloradans are carrying over \$19 billion of student loan debt — this is simply unacceptable. Student loan debt is crushing Colorado middle class families and preventing Coloradans from earning enough for a good life. My administration will lead on this front. Much like the conversations we have initiated about unchecked health care costs, trends in ballooning student loan debt and tuition costs must be addressed if we want all Colorado families to thrive.

# Health Care

Thanks to the leadership of Governor Hickenlooper and our legislature, our state has made significant progress over several years toward expanding access to affordable health care and reproductive health services, and cutting the uninsured rate to an unprecedented 6.5%. But despite the progress we've made, health care costs continue to rise and many families are being left behind.



Source: Network for Regional Healthcare Improvement



Headed by one of the fiercest patient advocates our state has ever known, Lieutenant Governor Primavera will lead our efforts, working closely with the legislature to increase price transparency, reduce costs for hospital stays, and make health insurance more affordable.

This begins with the immediate establishment of the first-ever Office of Saving People Money on Health Care, and this budget includes the modest resources in both FY 2018-19 and FY 2019-20 to give this office the power to make real change.

**We aren't giving this office a fancy name to make it SOUND important. Instead we're giving it a simple name because it IS important.**



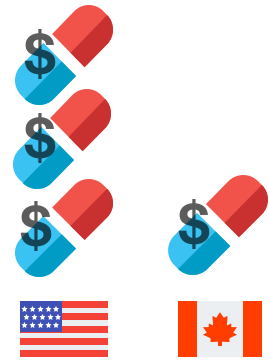
- Governor Polis

# Health Care, cont'd

Our first step is to address prescription drug prices. Canada has the same drugs from the same manufacturing plants that we have here in the United States - but at a fraction of the cost. Together, with the General Assembly, we will design a program to allow our state to import prescription drugs from Canada. The budget sets aside \$1.3 million to get this program started and explore other innovative solutions.

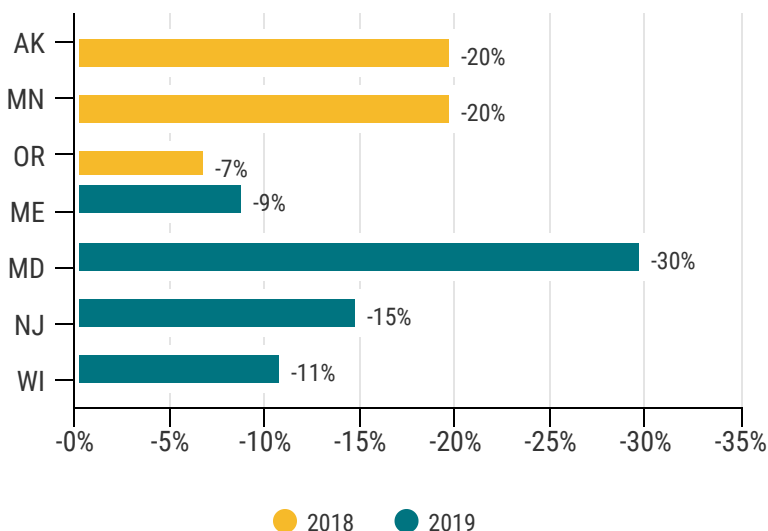


A 90-day prescription for Atorvastatin, more commonly known as Lipitor™ can cost \$150 or more in the United States. Just a few hundred miles North, the same exact drug can be filled for 1/3 the cost.



Another solution to reduce health care costs is to establish a reinsurance program. It has worked in other states, and can work for Colorado as well. The program, which essentially provides insurance for insurance companies, helps cover health care costs for patients with the most expensive ailments, reducing premiums in the individual market. Currently, there is a gap in the system for Coloradans who earn too much to qualify for premium subsidies through Advanced Premium Tax Credits, but still struggle to afford the high cost of premiums in the private market.

Projected Premium Reductions in States with Reinsurance Programs



The reinsurance program would lower premiums for Coloradans hardest hit by sky-rocketing prices and the federal dollars saved on tax credits will, in part, fund the reinsurance pool. Lower premiums will benefit everyone, further encouraging healthy individuals to enroll, while reducing the significant strain on hospitals and safety net providers serving the uninsured. Working closely with the General Assembly, we will work to establish a program by 2020 that lowers expenses for all Coloradans.

Source: Centers for Medicare & Medicaid Services, Center for Consumer Information & Insurance Oversight

# Health Care, cont'd

The Lieutenant Governor's Office of Saving People Money on Health Care will also work to develop an opportunity for any Coloradan to purchase an option to be insured through the state. A competitive state health insurance option will add more choice to the health care insurance market.



It's time to establish a paid family and medical leave program in Colorado - so that employees aren't having to choose between keeping their paycheck and caring for their child, a sick relative, an aging parent, or themselves. This budget takes the first step in realizing that vision, by including resources from the state to help cover paid parental leave for state employees, which will improve the morale and effectiveness of the state workforce. We look forward to working with the legislature to pass legislation that establishes a more comprehensive paid family medical leave program that will benefit all Colorado workers, including state employees, because we are all part of one Colorado.

We plan to continue working closely with the legislature to address ongoing health concerns — including the opioid epidemic, which took more than 550 Colorado lives last year. We must take bold action to address this and other behavioral health crises. Legislation last year invested \$174 million, including \$34 million General Fund, to add residential and inpatient substance use disorder treatment as a Medicaid benefit. Upon federal approval, this will expand treatment to approximately 17,000 Coloradans.



**It's time for us to build a health care system where no person has to choose between losing their life savings and losing their life.**

- Governor Polis

# The Colorado Way of Life

Here in Colorado, we pride ourselves on our unbeatable quality of life and the breathtaking beauty of the state we proudly call home. Protecting this special way of life for ourselves and future generations is one of the most sacred responsibilities we share.

100%  
**RENEWABLE  
ENERGY BY 2040**

I am committed to preserving, protecting and providing for this quality of life throughout my service. We're going to confront climate change head-on, to ensure that we fully benefit from all of the opportunities associated with being a leader in the quickly growing clean energy economy. Our commitment to reaching 100% renewable energy by 2040 and advancing the electrification of other sectors will protect the health of our communities, save consumers money, and ensure that the good-paying green jobs of the future are created here in Colorado.

Water is perhaps the natural resource most closely intertwined with the Colorado way of life. My budget continues the \$30 million investment proposed by Governor Hickenlooper for insulating our state from the risk of drought. Now is the time to build on the momentum established by the previous administration and do our part by committing to a bipartisan, sustainable funding source for our state's first comprehensive Water Plan.



We must also expand access to capital for businesses in rural Colorado. We are currently doing this through the existing Greater Colorado Venture Fund (a rural venture capital fund). My budget also supports the creation of a Rural Economic Grant Program under consideration of the legislature. This \$2.5 million grant program would provide seed money to support early stage businesses in small rural communities.

**While the outdoor recreation economy continues to expand opportunities in rural Colorado, we must double down on supporting our rich farming and ranching tradition.**



- Governor Polis

Finally, as one component of our expanded efforts to put health and safety first when it comes to protecting our communities from oil and gas operations, my budget adds field inspectors and resources at the Colorado Oil and Gas Conservation Commission.



# Opportunity for All

So many of the important issues Coloradans face today boil down to opportunity; the opportunity to grow and start a business, the opportunity to enjoy Colorado's special way of life and majestic outdoors, the opportunity to get a great education that leads to a successful future. For Colorado to be a place where these opportunities are available to all, and not just some, we need to make our economy work better for middle-class families.



State of the State Video Clip

One way we'll do this is by working with the legislature to make our tax code more fair, so that we can reduce rates for Colorado families and small businesses. This will not have any budget implications and will be revenue neutral, and produce greater economic growth and prosperity over time. Our tax code gives too much power to special interests who can afford expensive lobbyists, while forcing ordinary families to pay more. We need a tax code that reflects today's realities rather than yesterday's distortions. Let people keep more of their hard-earned money rather than give it away to corporate interests. The legislature and the Auditor have gotten off to a good start by closely examining which deductions and credits are benefiting our economy, and which are being exploited by corporations at Colorado's expense. I want to work with you to close these loopholes and pass the savings on to families by lowering the income tax rate.

My tax reform proposal does not change how much money the state collects nor does it harm our investment in public priorities. It simply asks the largest, most profitable corporations to start paying their fair share so that individuals, families, and small businesses can pay less.



**Our tax reform proposal simply asks the largest, most influential corporations to start paying their fair share so that individuals, families, and small businesses can pay less.**

- Governor Polis

# Opportunity for All, cont'd

If we want our communities to thrive, it means providing opportunities for every single person within that community to thrive, regardless of their immigration status. That's why this budget also includes funding to expand a program established in 2013 to provide driver's licenses and identification cards to undocumented immigrants, expanding program locations, and adding needed access in the southwestern part of the state for the first time.



My team will continue to work with legislative partners and community stakeholders to effectively manage the increase in court-ordered referrals for competency restoration. Our budget delays a request from the prior administration to turn Ridge View Academy into a facility for competency restoration, withdrawing the request for FY 2018-19 and FY 2019-20. Two other capital construction requests in the Department of Human Services are continued, which together would add capacity for 86 new beds. We are committed to working with all partners in the judicial system, community, and Department of Human Services to expand the use of community-based competency restoration. This budget sets aside \$2.5 million to augment other funds for community-based restoration services. These resources must be coupled with a comprehensive, system-wide approach to reduce wait-times for restorative treatment programming, which includes legislative reforms.

Every Coloradan wants the opportunity to earn a good life, and we can break down the barriers that hold them back. As we address the inequities in our tax code and reduce the income tax rate, so too must we address the inequities in our criminal justice system. That means tackling discriminatory practices that make people of color, individuals living with mental health disorders, and Coloradans experiencing poverty more likely to face incarceration. We are committed to working collaboratively with legislators and stakeholders from all walks of life to aggressively pursue criminal justice reform. We seek holistic reform that will avoid unnecessary incarceration, safely reduce the critical capacity issues facing our prison system, provide opportunities to minimize the use of private prisons, and better prepare individuals for life beyond bars. Our budget for the Department of Corrections, to be submitted by January 31, 2019, will propose reforms to reduce costs and recidivism, while improving public safety.

# Opportunity for All, cont'd

Finally, as we consider our State workforce and the critical work they do every day to better the lives of Coloradans, we must ensure that their compensation keeps pace with the growth in cost of living that impacts us all. For that reason, I am proposing that State employees receive a 3% across the board salary increase for FY 2019-20 instead of the 3% merit pay increase that was proposed on November 1, 2018. While it is important to reward performance, all employees need to receive a pay increase next year to address cost of living.

## FY 2019-20 Budget Highlights

<b>Education</b>	
Free Full-day Kindergarten	CDE BA-02
Full-day Kindergarten Implementation	CDE BA-04
Additional Pre-school Access	CDE BA-03
Teacher Loan Forgiveness	Placeholder
High School Freshman Success Fund	Placeholder
Expand Dual and Concurrent Enrollment	Placeholder

<b>Health Care</b>	
Office of Saving People Money on Health Care	GOV BA-01
Prescription Drug Importation	Placeholder
Reinsurance Program	Placeholder
Competitive State-backed Health Insurance Study	Placeholder
Paid Parental Leave	DPA BA-02

<b>Colorado Way of Life</b>	
COGCC Inspectors and Staff	DNR BA-02
Rural Economic Grant Program	Placeholder

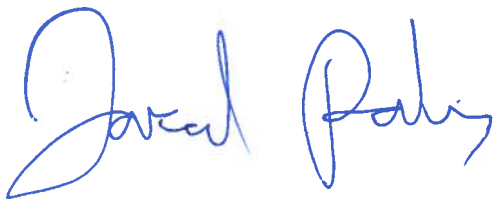
<b>Opportunity for All</b>	
Immigrant Driver's License Program (CO Road and Community Safety Act, SB13-251)	DOR BA-01



# Conclusion

What makes Colorado unique isn't just the boldness of our ideas. It is the resilience and the spirit of our people, who make change happen, who bring these bold ideas to life. Our shared responsibility is to turn challenges into opportunities and ideas into action. Now is the time to unite in our common purpose and move Colorado forward. Together, we can take this historic opportunity to build a Colorado that works for ALL.

Let's move boldly forward.



Jared Polis  
Governor

Copy:

Senator Dominick Moreno, Joint Budget Committee Chair  
Representative Daneya Esgar, Joint Budget Committee Vice Chair  
Representative Chris Hansen, Joint Budget Committee  
Senator Dennis Hisey, Joint Budget Committee  
Representative Bob Rankin, Joint Budget Committee  
Senator Rachel Zenzinger, Joint Budget Committee  
Representative Kim Ransom  
Senate President Leroy Garcia  
Speaker of the House of Representatives KC Becker  
Mr. John Ziegler, Joint Budget Committee Staff Director

## Attachments

1. Summary of January 15 Budget Changes
2. January 15 Supplemental and Budget Amendment Requests by Department
3. Fund Sources by Department
4. General Fund Overview
5. Description of Department Requests

## Summary of January 15 Budget Changes

Polis Administration Priority Department Requests							
Department	Request Name	FY 2018-19			FY 2019-20		
		Total Funds	FTE	General Fund	Total Funds	FTE	General Fund
Education	BA-02 Free Full Day Kindergarten	\$0	0.0	\$0	\$226,996,623	0.0	\$226,996,623
Education	BA-03 Additional CPP Slots (Preschool Access)	\$0	0.0	\$0	\$13,023,172	0.0	\$13,023,172
Education	BA-04 Full Day Kindergarten Implementation	\$0	0.0	\$0	\$25,719,814	0.0	\$25,719,814
Governor	S-01, BA-01 Lt. Governor Office Restructure	\$100,820	0.8	\$100,820	\$246,912	1.5	\$246,912
Governor	S-02, BA-02 Director of Operations and Cabinet Affairs Role	\$60,000	0.5	\$60,000	\$154,075	1.0	\$154,075
Natural Resources	BA-02 Additional Oil & Gas Field Inspectors & Support Staff	\$0	0.0	\$0	\$1,225,555	11.0	\$0
Personnel & Administration	BA-02 Paid Parental Leave - Statewide Impact	\$0	0.0	\$0	\$3,021,062	0.0	\$1,769,284
Revenue	BA-01 Colorado Road and Community Safety Act Expansion (Immigrant Driver's License Program - SB13-251)	\$0	0.0	\$0	\$262,978	3.6	\$0
Capital Construction	Delay Human Services CC-02 Secure Treatment Center for Mental Health Restoration Request (Ridge View)	(\$3,731,725)	0.0	(\$3,731,725)	(\$11,544,347)	0.0	(\$11,544,347)
Statewide	Change 3% Merit Increase to 3% Across the Board State Employee Salary Increase	\$0	0.0	\$0	\$0	0.0	\$0
Subtotal Priority Department Requests		(\$3,570,905)	1.3	(\$3,570,905)	\$259,105,844	17.1	\$256,365,533

Polis Administration Priority Placeholder Items							
Department	Placeholder Name	FY 2018-19			FY 2019-20		
		Total Funds	FTE	General Fund	Total Funds	FTE	General Fund
Education	High School Freshman Success Fund	\$0	0.0	\$0	\$2,000,000	0.0	\$2,000,000
Governor	Rural Economic Grant Program	\$0	0.0	\$0	\$2,500,000	0.0	\$2,500,000
Higher Education	Teacher Loan Forgiveness	\$0	0.0	\$0	\$6,500,000	0.0	\$6,500,000
Higher Education	Repurpose November 1 Budget Request (CDHE R-04, Colorado Teacher Scholarship)	\$0	0.0	\$0	(\$6,500,000)	0.0	(\$6,500,000)
Higher Education	Expand Dual and Concurrent Enrollment	\$0	0.0	\$0	\$1,500,000	0.0	\$1,500,000
Health Care Policy and Financing	Competitive State-backed Health Insurance Study	\$0	0.0	\$0	\$400,000	0.0	\$400,000
Health Care Policy and Financing	Prescription Drug Importation	\$0	0.0	\$0	\$1,300,000	0.0	\$1,300,000
Human Services	Community-based Competency Restoration Services	\$0	0.0	\$0	\$2,485,600	0.0	\$2,485,600
Regulatory Agencies	Reinsurance Program	\$0	0.0	\$0	\$1,148,000	0.0	\$1,148,000
Subtotal Placeholder Items		\$0	0.0	\$0	\$11,333,600	0.0	\$11,333,600

Technical/Caseload Requests							
Department	Request Name	FY 2018-19			FY 2019-20		
		Total Funds	FTE	General Fund	Total Funds	FTE	General Fund
Corrections	S-02 Correctional Officer Overtime	\$2,095,990	0.0	\$0	\$0	0.0	\$0
Education	S-01, BA-01 Total Program	(\$77,064,455)	0.0	(\$77,597,534)	(\$274,070,637)	0.0	(\$271,624,367)
Education	BA-05 Categorical Program Inflation Update	\$0	0.0	\$0	(\$923,224)	0.0	(\$425,296)
Human Services	S-09, BA-06 Youth Services Purchase of Contract Placements	(\$708,742)	0.0	(\$800,248)	(\$1,792,692)	0.0	(\$159,606)
Subtotal Technical/Caseload Requests		(\$75,677,207)	0.0	(\$78,397,782)	(\$276,786,553)	0.0	(\$272,209,269)

<b>Total Polis Administration Budget Changes from January 2</b>	<b>(\$79,248,112)</b>	<b>1.3</b>	<b>(\$81,968,687)</b>	<b>(\$6,347,109)</b>	<b>17.1</b>	<b>(\$4,510,136)</b>
<i>Total Incremental Request in Department Operating Budgets</i>	<i>(\$75,516,387)</i>	<i>1.3</i>	<i>(\$78,236,962)</i>	<i>(\$6,136,362)</i>	<i>17.1</i>	<i>(\$4,299,389)</i>
<i>Total Incremental Request to Capital Construction Budget</i>	<i>(\$3,731,725)</i>	<i>0.0</i>	<i>(\$3,731,725)</i>	<i>(\$11,544,347)</i>	<i>0.0</i>	<i>(\$11,544,347)</i>
<i>Total Placeholders for Legislation</i>	<i>\$0</i>	<i>0.0</i>	<i>\$0</i>	<i>\$11,333,600</i>	<i>0.0</i>	<i>\$11,333,600</i>

**January 15 Supplemental and Budget Amendment Requests by Department**

FY 2018-19 Supplemental Requests by Department							
Request Name	Requires Legislation	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	
						Federal Funds	Federal Funds
<b>Department of Corrections</b>							
<b>Prioritized Request</b>							
S-02 Correctional Officer Overtime	Yes	\$2,095,990	0.00	\$0	\$2,095,990	\$0	\$0
<b>Total Jan 15 Incremental - Department of Corrections</b>		<b>\$2,095,990</b>	<b>0.00</b>	<b>\$0</b>	<b>\$2,095,990</b>	<b>\$0</b>	<b>\$0</b>
<b>Department of Education</b>							
<b>Prioritized Request</b>							
S-01, BA-01 Total Program	Yes	(\$77,064,455)	0.0	(\$77,597,534)	\$533,079	\$0	\$0
<b>Total Jan 15 Incremental - Department of Education</b>		<b>(\$77,064,455)</b>	<b>0.0</b>	<b>(\$77,597,534)</b>	<b>\$533,079</b>	<b>\$0</b>	<b>\$0</b>
<b>Office of the Governor</b>							
<b>Prioritized Request</b>							
S-01 (LG) Lt. Governor Office Restructure	No	\$100,820	0.8	\$100,820	\$0	\$0	\$0
S-02 (GOV) Director of Operations and Cabinet Affairs Role	No	\$60,000	0.5	\$60,000	\$0	\$0	\$0
<b>Total Jan 15 Incremental - Office of the Governor</b>		<b>\$160,820</b>	<b>1.3</b>	<b>\$160,820</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Department of Human Services</b>							
<b>Prioritized Request</b>							
S-09 Youth Services Purchase of Contract Placements	No	(\$708,742)	0.0	(\$800,248)	\$0	\$49,656	\$41,850
<b>Total Jan 15 Incremental - Department of Human Services</b>		<b>(\$708,742)</b>	<b>0.0</b>	<b>(\$800,248)</b>	<b>\$0</b>	<b>\$49,656</b>	<b>\$41,850</b>
<b>Total Jan 15 Incremental FY 2018-19 Supplemental Requests by Department</b>		<b>(\$75,516,387)</b>	<b>1.3</b>	<b>(\$78,236,962)</b>	<b>\$2,629,069</b>	<b>\$49,656</b>	<b>\$41,850</b>

FY 2019-20 Budget Amendment Requests by Department							
Request Name	Requires Legislation	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	
						Federal Funds	Federal Funds
<b>Department of Agriculture</b>							
<b>Non-Prioritized Request</b>							
NPBA-02 Paid Parental Leave	No	\$23,185	0.0	\$2,201	\$20,984	\$0	\$0
<b>Total Jan 15 Incremental - Department of Agriculture</b>		<b>\$23,185</b>	<b>0.0</b>	<b>\$2,201</b>	<b>\$20,984</b>	<b>\$0</b>	<b>\$0</b>
<b>Department of Corrections</b>							
<b>Non-Prioritized Request</b>							
NPBA-02 Paid Parental Leave	No	\$1,006,950	0.0	\$977,839	\$29,111	\$0	\$0
<b>Total Jan 15 Incremental - Department of Corrections</b>		<b>\$1,006,950</b>	<b>0.0</b>	<b>\$977,839</b>	<b>\$29,111</b>	<b>\$0</b>	<b>\$0</b>
<b>Department of Education</b>							
<b>Prioritized Request</b>							
BA-02 Free Full Day Kindergarten	Yes	\$226,996,623	0.0	\$226,996,623	\$0	\$0	\$0
BA-03 Additional CPP Slots (Preschool Access)	Yes	\$13,023,172	0.0	\$13,023,172	\$0	\$0	\$0
BA-04 Full Day Kindergarten Implementation	Yes	\$25,719,814	0.0	\$25,719,814	\$0	\$0	\$0
BA-05 Categorical Program Inflation Update	No	(\$923,224)	0.0	(\$425,296)	(\$497,928)	\$0	\$0
S-01, BA-01 Total Program	Yes	(\$274,070,637)	0.0	(\$271,624,367)	(\$2,446,270)	\$0	\$0
<b>Subtotal Prioritized Requests</b>		<b>(\$9,254,252)</b>	<b>0.0</b>	<b>(\$6,310,054)</b>	<b>(\$2,944,198)</b>	<b>\$0</b>	<b>\$0</b>
<b>Non-Prioritized Request</b>							
NPBA-02: Paid Parental Leave	No	\$37,450	0.0	\$13,642	\$5,707	\$3,437	\$14,664
<b>Subtotal Non-Prioritized Requests</b>		<b>\$37,450</b>	<b>0.0</b>	<b>\$13,642</b>	<b>\$5,707</b>	<b>\$3,437</b>	<b>\$14,664</b>
<b>Total Jan 15 Incremental - Department of Education</b>		<b>(\$9,216,802)</b>	<b>0.0</b>	<b>(\$6,296,412)</b>	<b>(\$2,938,491)</b>	<b>\$3,437</b>	<b>\$14,664</b>
<b>Office of the Governor</b>							
<b>Prioritized Request</b>							
BA-01 (GOV) Lt. Governor Office Restructure	No	\$246,912	1.5	\$246,912	\$0	\$0	\$0
BA-02 (GOV) Director of Operations and Cabinet Affairs Role	No	\$154,075	1.0	\$154,075	\$0	\$0	\$0
<b>Subtotal Prioritized Requests</b>		<b>\$400,987</b>	<b>2.5</b>	<b>\$400,987</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Non-Prioritized Request</b>							
NPBA-02 (GOV) Paid Parental Leave	No	\$3,336	0.0	\$3,336	\$0	\$0	\$0
NPBA-02 (OIT) Paid Parental Leave	No	\$21,376	0.0	\$220	\$0	\$21,156	\$0
<b>Subtotal Non-Prioritized Requests</b>		<b>\$24,712</b>	<b>0.0</b>	<b>\$3,556</b>	<b>\$0</b>	<b>\$21,156</b>	<b>\$0</b>
<b>Total Jan 15 Incremental - Office of the Governor</b>		<b>\$425,699</b>	<b>2.5</b>	<b>\$404,543</b>	<b>\$0</b>	<b>\$21,156</b>	<b>\$0</b>

**January 15 Supplemental and Budget Amendment Requests by Department, continued**

FY 2019-20 Budget Amendment Requests by Department							
Request Name	Requires Legislation	Total Funds	FTE	General Fund	Cash Funds	Reappropriated Funds	
						Federal Funds	Federal Funds
<b>Department of Health Care Policy and Financing</b>							
<b>Non-Prioritized Request</b>							
NPBA-07 Paid Parental Leave	No	\$172,826	0.0	\$84,232	\$962	\$275	\$87,357
<b>Total Jan 15 Incremental - Department of Health Care Policy and Financing</b>		<b>\$172,826</b>	<b>0.0</b>	<b>\$84,232</b>	<b>\$962</b>	<b>\$275</b>	<b>\$87,357</b>
<b>Department of Higher Education</b>							
<b>Non-Prioritized Request</b>							
NPBA-02 Paid Parental Leave	No	\$353,378	0.0	\$0	\$1,506	\$351,872	\$0
<b>Total Jan 15 Incremental - Department of Higher Education</b>		<b>\$353,378</b>	<b>0.0</b>	<b>\$0</b>	<b>\$1,506</b>	<b>\$351,872</b>	<b>\$0</b>
<b>Department of Human Services</b>							
<b>Prioritized Request</b>							
S-09, BA-06 Youth Services Purchase of Contract Placements	No	(\$1,792,692)	0.0	(\$159,606)	\$0	(\$172,005)	(\$1,461,081)
<b>Subtotal Prioritized Requests</b>		<b>(\$1,792,692)</b>	<b>0.0</b>	<b>(\$159,606)</b>	<b>\$0</b>	<b>(\$172,005)</b>	<b>(\$1,461,081)</b>
<b>Non-Prioritized Request</b>							
NPBA-02 Paid Parental Leave	No	\$724,317	0.0	\$471,981	\$38,080	\$156,006	\$58,250
<b>Subtotal Non-Prioritized Requests</b>		<b>\$724,317</b>	<b>0.0</b>	<b>\$471,981</b>	<b>\$38,080</b>	<b>\$156,006</b>	<b>\$58,250</b>
<b>Total Jan 15 Incremental - Department of Human Services</b>		<b>(\$1,068,375)</b>	<b>\$0</b>	<b>\$312,375</b>	<b>\$38,080</b>	<b>(\$15,999)</b>	<b>(\$1,402,831)</b>
<b>Judicial</b>							
<b>Non-Prioritized Request</b>							
NPBA-01 Paid Parental Leave	No	\$85,530	0.0	\$85,530	\$0	\$0	\$0
NPBA-01 Paid Parental Leave OCPO	No	\$104	0.0	\$104	\$0	\$0	\$0
NPBA-02 Paid Parental Leave	No	\$729	0.0	\$729	\$0	\$0	\$0
NPBA- 02 Paid Parental Leave Ind. Jud	No	\$17,815	0.0	\$17,815	\$0	\$0	\$0
<b>Total Jan 15 Incremental - Judicial</b>		<b>\$104,178</b>	<b>0.0</b>	<b>\$104,178</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Department of Labor and Employment</b>							
<b>Non-Prioritized Request</b>							
NPBA - 02 Paid Parental Leave	No	\$132,608	0.0	\$13,747	\$55,192	\$0	\$63,669
<b>Total Jan 15 Incremental - Department of Labor and Employment</b>		<b>\$132,608</b>	<b>0.0</b>	<b>\$13,747</b>	<b>\$55,192</b>	<b>\$0</b>	<b>\$63,669</b>
<b>Department of Law</b>							
<b>Non-Prioritized Request</b>							
NPBA-02 Paid Parental Leave	No	\$10,859	0.0	\$10,859	\$0	\$0	\$0
<b>Total Jan 15 Incremental - Department of Law</b>		<b>\$10,859</b>	<b>0.0</b>	<b>\$10,859</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Legislature</b>							
<b>Non-Prioritized Request</b>							
NPBA-02 Parental Leave	No	\$8,347	0.0	\$8,347	\$0	\$0	\$0
<b>Total Jan 15 Incremental - Legislature</b>		<b>\$8,347</b>	<b>0.0</b>	<b>\$8,347</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Department of Local Affairs</b>							
<b>Non-Prioritized Request</b>							
NPBA-02 Paid Parental Leave	No	\$3,958	0.0	\$1,148	\$555	\$1,465	\$790
<b>Total Jan 15 Incremental - Department of Local Affairs</b>		<b>\$3,958</b>	<b>0.0</b>	<b>\$1,148</b>	<b>\$555</b>	<b>\$1,465</b>	<b>\$790</b>
<b>Department of Military Affairs</b>							
<b>Non-Prioritized Request</b>							
NPBA-02 Paid Parental Leave	No	\$3,248	0.0	\$1,494	\$0	\$0	\$1,754
<b>Total Jan 15 Incremental - Department of Military Affairs</b>		<b>\$3,248</b>	<b>0.0</b>	<b>\$1,494</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,754</b>
<b>Department of Natural Resources</b>							
<b>Prioritized Request</b>							
BA-02 Additional Oil & Gas Field Inspectors & Support Staff	No	\$1,225,555	11.0	\$0	\$1,225,555	\$0	\$0
<b>Subtotal Prioritized Requests</b>		<b>\$1,225,555</b>	<b>11.0</b>	<b>\$0</b>	<b>\$1,225,555</b>	<b>\$0</b>	<b>\$0</b>
<b>Non-Prioritized Request</b>							
NPBA-02 Paid Parental Leave	Yes	\$95,868	0.0	\$7,021	\$86,150	\$1,985	\$712
<b>Subtotal Non-Prioritized Requests</b>		<b>\$95,868</b>	<b>0.0</b>	<b>\$7,021</b>	<b>\$86,150</b>	<b>\$1,985</b>	<b>\$712</b>
<b>Total Jan 15 Incremental - Department of Natural Resources</b>		<b>\$1,321,423</b>	<b>11.0</b>	<b>\$7,021</b>	<b>\$1,311,705</b>	<b>\$1,985</b>	<b>\$712</b>

January 15 Supplemental and Budget Amendment Requests by Department, continued

FY 2019-20 Budget Amendment Requests by Department							
Request Name	Requires	Total Funds	FTE	General Fund	Cash Funds	Reappropriated	
	Legislation					Funds	Federal Funds
<b>Department of Personnel and Administration</b>							
<b>Prioritized Request</b>							
BA-02 Paid Parental Leave	Yes	\$0	0.0	\$0	\$0	\$0	\$0
<b>Subtotal Prioritized Requests</b>		<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Non-Prioritized Request</b>							
NPBA-02 Paid Parental Leave	No	\$17,642	0.0	\$7,612	\$213	\$9,817	\$0
<b>Subtotal Non-Prioritized Requests</b>		<b>\$17,642</b>	<b>0.0</b>	<b>\$7,612</b>	<b>\$213</b>	<b>\$9,817</b>	<b>\$0</b>
<b>Total Jan 15 Incremental - Department of Personnel and Administration</b>		<b>\$17,642</b>	<b>0.0</b>	<b>\$7,612</b>	<b>\$213</b>	<b>\$9,817</b>	<b>\$0</b>
<b>Department of Public Health and Environment</b>							
<b>Non-Prioritized Request</b>							
NPBA-02 Paid Parental Leave	No	\$128,615	0.0	\$19,047	\$44,872	\$13,660	\$51,036
<b>Total Jan 15 Incremental - Department of Public Health and Environment</b>		<b>\$128,615</b>	<b>0.0</b>	<b>\$19,047</b>	<b>\$44,872</b>	<b>\$13,660</b>	<b>\$51,036</b>
<b>Department of Public Safety</b>							
<b>Non-Prioritized Request</b>							
NPBA-02 Paid Parental Leave	No	\$65,828	0.0	\$41,509	\$24,319	\$0	\$0
<b>Total Jan 15 Incremental - Department of Public Safety</b>		<b>\$65,828</b>	<b>0.0</b>	<b>\$41,509</b>	<b>\$24,319</b>	<b>\$0</b>	<b>\$0</b>
<b>Department of Regulatory Agencies</b>							
<b>Non-Prioritized Request</b>							
NPBA-02 Paid Parental Leave	No	\$23,237	0.0	\$454	\$21,559	\$1,224	\$0
<b>Total Jan 15 Incremental - Department of Regulatory Agencies</b>		<b>\$23,237</b>	<b>0.0</b>	<b>\$454</b>	<b>\$21,559</b>	<b>\$1,224</b>	<b>\$0</b>
<b>Department of Revenue</b>							
<b>Prioritized Request</b>							
BA-01 Colorado Road and Community Safety Act Expansion	No	\$262,978	3.6	\$0	\$262,978	\$0	\$0
<b>Subtotal Prioritized Requests</b>		<b>\$262,978</b>	<b>3.6</b>	<b>\$0</b>	<b>\$262,978</b>	<b>\$0</b>	<b>\$0</b>
<b>Non-Prioritized Request</b>							
NPBA-02 Paid Parental Leave	No	\$80,583	0.0	\$0	\$80,583	\$0	\$0
<b>Subtotal Non-Prioritized Requests</b>		<b>\$80,583</b>	<b>0.0</b>	<b>\$0</b>	<b>\$80,583</b>	<b>\$0</b>	<b>\$0</b>
<b>Total Jan 15 Incremental - Department of Revenue</b>		<b>\$343,561</b>	<b>3.6</b>	<b>\$0</b>	<b>\$343,561</b>	<b>\$0</b>	<b>\$0</b>
<b>Department of State</b>							
<b>Non-Prioritized Request</b>							
NPBA-02 Paid Parental Leave	No	\$2,613	0.0	\$0	\$2,613	\$0	\$0
<b>Total Jan 15 Incremental - Department of State</b>		<b>\$2,613</b>	<b>0.0</b>	<b>\$0</b>	<b>\$2,613</b>	<b>\$0</b>	<b>\$0</b>
<b>Department of Transportation</b>							
<b>Non-Prioritized Request</b>							
NPBA-02 Paid Parental Leave	No	\$0	0.0	\$0	\$0	\$0	\$0
<b>Total Jan 15 Incremental - Department of Transportation</b>		<b>\$0</b>	<b>0.0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Department of Treasury</b>							
<b>Non-Prioritized Request</b>							
NPBA-02 Paid Parental Leave	No	\$660	0.0	\$417	\$243	\$0	\$0
<b>Total Jan 15 Incremental - Department of Treasury</b>		<b>\$660</b>	<b>0.0</b>	<b>\$417</b>	<b>\$243</b>	<b>\$0</b>	<b>\$0</b>
<b>Total Jan 15 Incremental FY 2019-20 Budget Amendments by Department</b>		<b>(\$6,136,362)</b>	<b>\$17</b>	<b>(\$4,299,389)</b>	<b>(\$1,043,016)</b>	<b>\$388,892</b>	<b>(\$1,182,849)</b>

<b>Total Funds</b>				
	<b>2018-19</b>	<b>2019-20</b>		
	<b>Revised</b>	<b>Jan 15</b>	<b>\$</b>	<b>%</b>
	<b>Appropriation</b>	<b>Governor's</b>	<b>Change</b>	<b>Change</b>
		<b>Request</b>		
Department of Agriculture	\$51,566,428	\$54,641,819	\$3,075,391	5.96%
Department of Corrections	\$910,055,030	\$981,734,574	\$71,679,544	7.88%
Department of Education	\$5,914,512,502	\$6,234,459,028	\$319,946,526	5.41%
Governor - Lt. Governor - State Planning and Budgeting	\$354,025,770	\$407,234,605	\$53,208,835	15.03%
Department of Health Care Policy and Financing	\$10,393,660,785	\$10,633,712,640	\$240,051,855	2.31%
Department of Higher Education	\$4,590,060,977	\$4,869,637,597	\$279,576,620	6.09%
Department of Human Services	\$2,182,889,319	\$2,281,530,445	\$98,641,126	4.52%
Judicial Department	\$760,176,128	\$800,764,872	\$40,588,744	5.34%
Department of Labor and Employment	\$259,539,481	\$276,705,059	\$17,165,578	6.61%
Department of Law	\$83,443,162	\$87,886,027	\$4,442,865	5.32%
Legislative Department	\$51,720,061	\$54,691,775	\$2,971,714	5.75%
Department of Local Affairs	\$316,851,010	\$318,546,514	\$1,695,504	0.54%
Department of Military and Veterans Affairs	\$232,124,223	\$233,085,172	\$960,949	0.41%
Department of Natural Resources	\$304,843,248	\$292,813,906	(\$12,029,342)	(3.95%)
Department of Personnel	\$205,399,820	\$211,433,788	\$6,033,968	2.94%
Department of Public Health and Environment	\$591,250,086	\$599,546,415	\$8,296,329	1.40%
Department of Public Safety	\$514,136,761	\$508,677,390	(\$5,459,371)	(1.06%)
Department of Regulatory Agencies	\$99,551,949	\$102,826,622	\$3,274,673	3.29%
Department of Revenue	\$370,844,296	\$394,837,332	\$23,993,036	6.47%
Department of State	\$25,377,772	\$32,148,831	\$6,771,059	26.68%
Department of Transportation	\$1,827,600,400	\$2,112,097,553	\$284,497,153	15.57%
Department of the Treasury	\$814,099,929	\$818,720,144	\$4,620,215	0.57%
<b>Subtotal Department Operating Requests</b>	<b>\$30,853,729,137</b>	<b>\$32,307,732,108</b>	<b>\$1,454,002,971</b>	<b>4.71%</b>
Placeholders for Legislation and Budget Adjustments	\$8,000,000	\$17,071,600	\$9,071,600	113.40%
1331 Approved Supplementals - Treasury	\$300,000	\$0	(\$300,000)	(100.00%)
<b>Subtotal Operating Requests</b>	<b>\$30,862,029,137</b>	<b>\$32,324,803,708</b>	<b>\$1,462,774,571</b>	<b>4.74%</b>

	<b>2018-19</b>	<b>2019-20</b>		
	<b>Revised</b>	<b>Jan 15</b>	<b>\$</b>	<b>%</b>
	<b>Appropriation</b>	<b>Governor's</b>	<b>Change</b>	<b>Change</b>
		<b>Request</b>		
Transfer to Capital Construction Fund	\$180,025,448	\$209,924,126	\$29,898,678	16.61%
TABOR Refund	\$394,425,754	\$529,553,570	\$135,127,816	34.26%
Old Age Pension Fund / Older Coloradans Fund	\$98,995,625	\$102,841,204	\$3,845,579	3.88%
Interest on School Loans	\$7,695,669	\$8,465,236	\$769,567	10.00%
Transfers to Transportation	\$495,000,000	\$200,000,000	(\$295,000,000)	(59.60%)
Transfers to State Education Fund (SB 13-234)	\$24,991,739	\$0	(\$24,991,739)	(100.00%)
Transfers to Other Funds	\$183,056,573	\$403,232,806	\$220,176,233	120.28%
Transfers to Controlled Maintenance	\$0	\$40,000,000	\$40,000,000	0.0%
Forecast Adjustments	(\$63,950,283)	(\$155,176,810)	(\$91,226,527)	142.65%
<b>Total Other Obligations</b>	<b>\$1,320,240,525</b>	<b>\$1,338,840,132</b>	<b>\$18,599,607</b>	<b>1.41%</b>
<b>TOTAL FUNDS Requests</b>	<b>\$32,182,269,662</b>	<b>\$33,663,643,840</b>	<b>\$1,481,374,178</b>	<b>4.60%</b>

## Total General Fund

	2018-19 Revised Appropriation	2019-20 Jan 15 Governor's Request	\$ Change	% Change
Department of Agriculture	\$11,080,974	\$12,075,295	\$994,321	8.97%
Department of Corrections	\$811,798,086	\$881,163,463	\$69,365,377	8.54%
Department of Education	\$4,102,684,542	\$4,443,780,329	\$341,095,787	8.31%
Governor - Lt. Governor - State Planning and Budgeting	\$42,496,755	\$50,242,156	\$7,745,401	18.23%
Department of Health Care Policy and Financing	\$2,928,935,826	\$3,105,978,713	\$177,042,887	6.04%
Department of Higher Education	\$1,003,622,998	\$1,115,411,509	\$111,788,511	11.14%
Department of Human Services	\$970,369,300	\$1,019,911,893	\$49,542,593	5.11%
Judicial Department	\$553,056,004	\$597,438,846	\$44,382,842	8.03%
Department of Labor and Employment	\$19,475,174	\$24,271,023	\$4,795,849	24.63%
Department of Law	\$16,607,075	\$18,274,642	\$1,667,567	10.04%
Legislative Department	\$50,287,893	\$53,259,607	\$2,971,714	5.91%
Department of Local Affairs	\$37,793,684	\$42,764,327	\$4,970,643	13.15%
Department of Military and Veterans Affairs	\$11,210,655	\$11,836,012	\$625,357	5.58%
Department of Natural Resources	\$31,984,883	\$33,438,463	\$1,453,580	4.54%
Department of Personnel	\$14,074,381	\$14,957,454	\$883,073	6.27%
Department of Public Health and Environment	\$52,128,667	\$56,361,031	\$4,232,364	8.12%
Department of Public Safety	\$183,563,009	\$155,995,217	(\$27,567,792)	(15.02%)
Department of Regulatory Agencies	\$1,951,431	\$2,118,081	\$166,650	8.54%
Department of Revenue	\$113,253,340	\$116,258,460	\$3,005,120	2.65%
Department of State	\$0	\$6,300,000	\$6,300,000	0.0%
Department of the Treasury	\$400,329,817	\$354,165,519	(\$46,164,298)	(11.53%)
<b>Subtotal Department Operating Requests</b>	<b>\$11,356,704,494</b>	<b>\$12,116,002,040</b>	<b>\$759,297,546</b>	<b>6.69%</b>
Placeholders for Legislation and Budget Adjustments	\$8,000,000	\$17,071,600	\$9,071,600	113.40%
<b>Subtotal Operating Requests</b>	<b>\$11,364,704,494</b>	<b>\$12,133,073,640</b>	<b>\$768,369,146</b>	<b>6.76%</b>

	2018-19 Revised Appropriation	2019-20 Jan 15 Governor's Request	\$ Change	% Change
Transfer to Capital Construction Fund	\$180,025,448	\$209,924,126	\$29,898,678	16.61%
TABOR Refund	\$394,425,754	\$529,553,570	\$135,127,816	34.26%
Old Age Pension Fund / Older Coloradans Fund	\$98,995,625	\$102,841,204	\$3,845,579	3.88%
Interest on School Loans	\$7,695,669	\$8,465,236	\$769,567	10.00%
Transfers to Transportation	\$495,000,000	\$200,000,000	(\$295,000,000)	(59.60%)
Transfers to State Education Fund (SB 13-234)	\$24,991,739	\$0	(\$24,991,739)	(100.00%)
Transfers to Other Funds	\$183,056,573	\$403,232,806	\$220,176,233	120.28%
Transfers to Controlled Maintenance	\$0	\$40,000,000	\$40,000,000	0.0%
Forecast Adjustments	(\$63,950,283)	(\$155,176,810)	(\$91,226,527)	142.65%
<b>Total Other Obligations</b>	<b>\$1,320,240,525</b>	<b>\$1,338,840,132</b>	<b>\$18,599,607</b>	<b>1.41%</b>

<b>TOTAL General Fund Requests</b>	<b>\$12,684,945,019</b>	<b>\$13,471,913,772</b>	<b>\$786,968,753</b>	<b>6.20%</b>
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## General Fund Subject to the Limit

	2018-19	2019-20		
	Revised	Jan 15	\$	%
	Appropriation	Governor's	Change	Change
		Request		
Department of Agriculture	\$11,080,974	\$12,075,295	\$994,321	8.97%
Department of Corrections	\$811,798,086	\$881,163,463	\$69,365,377	8.54%
Department of Education	\$4,102,684,542	\$4,443,780,329	\$341,095,787	8.31%
Governor - Lt. Governor - State Planning and Budgeting	\$42,496,755	\$50,242,156	\$7,745,401	18.23%
Department of Health Care Policy and Financing	\$2,928,505,917	\$3,105,592,173	\$177,086,256	6.05%
Department of Higher Education	\$1,003,622,998	\$1,115,411,509	\$111,788,511	11.14%
Department of Human Services	\$970,369,300	\$1,019,911,893	\$49,542,593	5.11%
Judicial Department	\$553,056,004	\$597,438,846	\$44,382,842	8.03%
Department of Labor and Employment	\$19,475,174	\$24,271,023	\$4,795,849	24.63%
Department of Law	\$16,607,075	\$18,274,642	\$1,667,567	10.04%
Legislative Department	\$50,287,893	\$53,259,607	\$2,971,714	5.91%
Department of Local Affairs	\$33,493,684	\$38,359,327	\$4,865,643	14.53%
Department of Military and Veterans Affairs	\$11,210,655	\$11,836,012	\$625,357	5.58%
Department of Natural Resources	\$31,984,883	\$33,438,463	\$1,453,580	4.54%
Department of Personnel	\$14,074,381	\$14,957,454	\$883,073	6.27%
Department of Public Health and Environment	\$51,698,758	\$55,974,491	\$4,275,733	8.27%
Department of Public Safety	\$183,563,009	\$155,995,217	(\$27,567,792)	(15.02%)
Department of Regulatory Agencies	\$1,951,431	\$2,118,081	\$166,650	8.54%
Department of Revenue	\$79,140,684	\$84,578,644	\$5,437,960	6.87%
Department of State	\$0	\$6,300,000	\$6,300,000	0.0%
Department of the Treasury	\$237,523,356	\$197,854,781	(\$39,668,575)	(16.70%)
<b>Subtotal Department Operating Requests</b>	<b>\$11,154,625,559</b>	<b>\$11,922,833,406</b>	<b>\$768,207,847</b>	<b>6.89%</b>
Placeholders for Legislation and Budget Adjustments	\$8,000,000	\$17,071,600	\$9,071,600	113.40%
<b>TOTAL</b>	<b>\$11,162,625,559</b>	<b>\$11,939,905,006</b>	<b>\$777,279,447</b>	<b>6.96%</b>



## General Fund Exempt from the Limit

	2018-19 Revised Appropriation	2019-20 Jan 15 Governor's Request	\$ Change	% Change
Department of Health Care Policy and Financing	\$429,909	\$386,540	(\$43,369)	(10.09%)
Department of Local Affairs	\$4,300,000	\$4,405,000	\$105,000	2.44%
Department of Public Health and Environment	\$429,909	\$386,540	(\$43,369)	(10.09%)
Department of Revenue	\$34,112,656	\$31,679,816	(\$2,432,840)	(7.13%)
Department of the Treasury	\$162,806,461	\$156,310,738	(\$6,495,723)	(3.99%)
<b>Subtotal Department Operating Requests</b>	<b>\$202,078,935</b>	<b>\$193,168,634</b>	<b>(\$8,910,301)</b>	<b>(4.41%)</b>
Transfer to Capital Construction Fund	\$180,025,448	\$209,924,126	\$29,898,678	16.61%
TABOR Refund	\$394,425,754	\$529,553,570	\$135,127,816	34.26%
Old Age Pension Fund / Older Coloradans Fund	\$98,995,625	\$102,841,204	\$3,845,579	3.88%
Interest on School Loans	\$7,695,669	\$8,465,236	\$769,567	10.00%
Transfers to Transportation	\$495,000,000	\$200,000,000	(\$295,000,000)	(59.60%)
Transfers to State Education Fund (SB 13-234)	\$24,991,739	\$0	(\$24,991,739)	(100.00%)
Transfers to Other Funds	\$183,056,573	\$403,232,806	\$220,176,233	120.28%
Transfers to Controlled Maintenance	\$0	\$40,000,000	\$40,000,000	0.0%
Forecast Adjustments	(\$63,950,283)	(\$155,176,810)	(\$91,226,527)	142.65%
<b>Total Other Obligations</b>	<b>\$1,320,240,525</b>	<b>\$1,338,840,132</b>	<b>\$18,599,607</b>	<b>1.41%</b>
<b>TOTAL</b>	<b>\$1,522,319,460</b>	<b>\$1,532,008,766</b>	<b>\$9,689,306</b>	<b>0.64%</b>

<b>Cash Funds</b>				
	<b>2018-19</b>	<b>2019-20</b>		
	<b>Revised</b>	<b>Jan 15</b>	<b>\$</b>	<b>%</b>
	<b>Appropriation</b>	<b>Governor's</b>	<b>Change</b>	<b>Change</b>
		<b>Request</b>		
Department of Agriculture	\$34,082,132	\$36,160,497	\$2,078,365	6.10%
Department of Corrections	\$40,404,360	\$45,466,460	\$5,062,100	12.53%
Department of Education	\$1,155,247,490	\$1,127,342,450	(\$27,905,040)	(2.42%)
Governor - Lt. Governor - State Planning and Budgeting	\$47,889,843	\$50,110,090	\$2,220,247	4.64%
Department of Health Care Policy and Financing	\$1,421,197,015	\$1,418,606,237	(\$2,590,778)	(0.18%)
Department of Higher Education	\$2,744,061,460	\$2,829,178,556	\$85,117,096	3.10%
Department of Human Services	\$414,311,483	\$434,791,880	\$20,480,397	4.94%
Judicial Department	\$165,722,088	\$161,822,224	(\$3,899,864)	(2.35%)
Department of Labor and Employment	\$80,841,770	\$84,128,248	\$3,286,478	4.07%
Department of Law	\$18,042,023	\$18,414,431	\$372,408	2.06%
Legislative Department	\$470,869	\$470,869	\$0	0.0%
Department of Local Affairs	\$186,097,459	\$181,889,195	(\$4,208,264)	(2.26%)
Department of Military and Veterans Affairs	\$1,203,530	\$1,258,232	\$54,702	4.55%
Department of Natural Resources	\$238,360,805	\$225,141,830	(\$13,218,975)	(5.55%)
Department of Personnel	\$14,336,731	\$16,802,542	\$2,465,811	17.20%
Department of Public Health and Environment	\$192,667,743	\$193,755,105	\$1,087,362	0.56%
Department of Public Safety	\$217,279,782	\$230,449,398	\$13,169,616	6.06%
Department of Regulatory Agencies	\$91,139,400	\$93,965,901	\$2,826,501	3.10%
Department of Revenue	\$250,384,658	\$271,397,366	\$21,012,708	8.39%
Department of State	\$25,377,772	\$25,848,831	\$471,059	1.86%
Department of Transportation	\$1,209,009,051	\$1,483,552,633	\$274,543,582	22.71%
Department of the Treasury	\$396,084,849	\$447,120,375	\$51,035,526	12.88%
<b>Subtotal Department Operating Requests</b>	<b>\$8,944,212,313</b>	<b>\$9,377,673,350</b>	<b>\$433,461,037</b>	<b>4.85%</b>
1331 Approved Supplementals - Treasury	\$300,000	\$0	(\$300,000)	(100.00%)
<b>TOTAL Cash Funds</b>	<b>\$8,944,512,313</b>	<b>\$9,377,673,350</b>	<b>\$433,161,037</b>	<b>4.84%</b>

## Reappropriated Funds

	2018-19 Revised Appropriation	2019-20 Jan 15 Governor's Request	\$ Change	% Change
Department of Agriculture	\$2,494,460	\$2,497,165	\$2,705	0.11%
Department of Corrections	\$54,336,517	\$51,529,339	(\$2,807,178)	(5.17%)
Department of Education	\$39,385,509	\$44,921,040	\$5,535,531	14.05%
Governor - Lt. Governor - State Planning and Budgeting	\$256,871,897	\$299,984,323	\$43,112,426	16.78%
Department of Health Care Policy and Financing	\$82,931,714	\$82,765,470	(\$166,244)	(0.20%)
Department of Higher Education	\$819,590,900	\$901,773,585	\$82,182,685	10.03%
Department of Human Services	\$188,233,492	\$195,326,151	\$7,092,659	3.77%
Judicial Department	\$36,973,036	\$37,078,802	\$105,766	0.29%
Department of Labor and Employment	\$7,521,018	\$9,849,133	\$2,328,115	30.95%
Department of Law	\$46,792,120	\$49,148,818	\$2,356,698	5.04%
Legislative Department	\$961,299	\$961,299	\$0	0.0%
Department of Local Affairs	\$12,146,466	\$12,776,212	\$629,746	5.18%
Department of Natural Resources	\$7,931,928	\$7,539,178	(\$392,750)	(4.95%)
Department of Personnel	\$176,988,708	\$179,673,792	\$2,685,084	1.52%
Department of Public Health and Environment	\$47,437,562	\$47,532,406	\$94,844	0.20%
Department of Public Safety	\$43,455,354	\$52,222,190	\$8,766,836	20.17%
Department of Regulatory Agencies	\$5,211,298	\$5,476,636	\$265,338	5.09%
Department of Revenue	\$6,381,910	\$6,149,515	(\$232,395)	(3.64%)
Department of Transportation	\$6,672,645	\$7,078,096	\$405,451	6.08%
Department of the Treasury	\$17,685,263	\$17,434,250	(\$251,013)	(1.42%)
<b>TOTAL Reappropriated Funds</b>	<b>\$1,860,003,096</b>	<b>\$2,011,717,400</b>	<b>\$151,714,304</b>	<b>8.16%</b>

## Federal Funds

	2018-19 Revised Appropriation	2019-20 Jan 15 Governor's Request	\$ Change	% Change
Department of Agriculture	\$3,908,862	\$3,908,862	\$0	0.0%
Department of Corrections	\$3,516,067	\$3,575,312	\$59,245	1.68%
Department of Education	\$617,194,961	\$618,415,209	\$1,220,248	0.20%
Governor - Lt. Governor - State Planning and Budgeting	\$6,767,275	\$6,898,036	\$130,761	1.93%
Department of Health Care Policy and Financing	\$5,960,596,230	\$6,026,362,220	\$65,765,990	1.10%
Department of Higher Education	\$22,785,619	\$23,273,947	\$488,328	2.14%
Department of Human Services	\$609,975,044	\$631,500,521	\$21,525,477	3.53%
Judicial Department	\$4,425,000	\$4,425,000	\$0	0.0%
Department of Labor and Employment	\$151,701,519	\$158,456,655	\$6,755,136	4.45%
Department of Law	\$2,001,944	\$2,048,136	\$46,192	2.31%
Department of Local Affairs	\$80,813,401	\$81,116,780	\$303,379	0.38%
Department of Military and Veterans Affairs	\$219,710,038	\$219,990,928	\$280,890	0.13%
Department of Natural Resources	\$26,565,632	\$26,694,435	\$128,803	0.48%
Department of Public Health and Environment	\$299,016,114	\$301,897,873	\$2,881,759	0.96%
Department of Public Safety	\$69,838,616	\$70,010,585	\$171,969	0.25%
Department of Regulatory Agencies	\$1,249,820	\$1,266,004	\$16,184	1.29%
Department of Revenue	\$824,388	\$1,031,991	\$207,603	25.18%
Department of Transportation	\$611,918,704	\$621,466,824	\$9,548,120	1.56%
<b>TOTAL Federal Funds</b>	<b>\$8,692,809,234</b>	<b>\$8,802,339,318</b>	<b>\$109,530,084</b>	<b>1.26%</b>

## General Fund Overview

The request reflects January 15<sup>th</sup> supplemental requests and budget amendments based on the OSPB December 2018 revenue forecast. The FY 2019-20 reserve is based on a reserve requirement of 8.0 percent as requested in the November 1 request.

Governor's General Fund Request	FY 2018-19	FY 2019-20	Change over FY 2018-19	% Change
Total General Fund Available	\$13,878,931,470	\$14,427,106,172	\$548,174,702	3.9%
Total General Fund Expenditures	\$12,684,945,019	\$13,471,913,772	\$786,968,753	6.2%
General Fund Expenditures Subject to Reserve	\$11,162,625,559	\$11,939,905,006	\$777,279,447	7.0%
General Fund Expenditures Exempt from Reserve	\$1,522,319,460	\$1,532,008,766	\$9,689,306	0.6%
Ending General Fund	\$1,193,986,451	\$955,192,401	-\$238,794,051	-20.0%
Required/Requested Reserve	7.25%	8.00%	0.75%	10.3%
Required/Requested Reserve Amount	\$809,290,353	\$955,192,400	\$145,902,047	18.0%
Above/ (Below) Reserve Level	\$384,696,098	\$0	-\$384,696,098	N/A

Relative to the January 2 request, the request for FY 2018-19 represents a reduction in General Fund spending of \$81.9 million. For FY 2019-20, the request is for \$94.6 million in additional General Fund, which includes a \$3.0 million increase to General Fund expenditures and a transfer of \$91.6 million to the State Education Fund.

FY 2018-19	January 2nd Request	January 15th Request	Difference
Total General Fund Available	\$13,865,205,705	\$13,878,931,470	\$13,725,765
Total General Fund Expenditures	\$12,766,913,706	\$12,684,945,019	-\$81,968,687
Ending General Fund	\$1,098,291,999	\$1,193,986,451	\$95,694,452

FY 2019-20	January 2nd Request	January 15th Request	Difference
Total General Fund Available	\$14,331,411,720	\$14,427,106,172	\$95,694,452
Total General Fund Expenditures	\$13,377,264,983	\$13,380,291,433	\$3,026,450
January 15th Transfer to State Education Fund	\$0	\$91,622,339	\$91,622,339
Ending General Fund	\$954,146,737	\$955,192,401	\$1,045,663

## General Fund Discussion for FY 2018-19

### FY 2018-19 General Fund Revenue Available (\$13,878.9 million)

The FY 2018-19 total available General Fund is \$13,878.9 million. This figure is based on a beginning balance of \$1,366.0 million, General Fund revenues of \$12,480.0 million, and \$19.2 million in transfers to the General Fund as outlined in our December 2018 OSPB forecast. Additionally, the total available General Fund includes \$13.7 million that the State

received from a multi-state settlement reached with Wells Fargo. This amount represents the portion paid to the State of Colorado as a penalty and deposited into the General Fund.

FY 2018-19 General Fund Expenditures (\$12,684.9 million)

General Fund expenditures requested for FY 2018-19 total \$12,684.9 million. This amount includes \$11,162.6 million subject to the General Fund limit and reserve requirement in Section 24-75-201.1, C.R.S. and \$1,522.3 million that is not subject to these requirements. Of this amount, \$244.8 million is associated with the December OSPB forecasted rebates and expenditures, \$394.4 million is associated with the TABOR refund and \$883.1 million is for transfers for capital construction, transportation, State Education Fund and other transfers.

Our General Fund request for FY 2018-19 supplementals totals a net \$81.9 million decrease relative to the January 2 request, of which \$78.2 million is subject to the limit and reserve requirement and \$3.7 million is not subject to these requirements. The \$3.7 million decrease is attributable to a FY 2018-19 capital construction request that was delayed by the Department of Human Services.

This FY 2018-19 supplemental request includes a net increase of \$11,356.7 million General Fund in department budgets. We are continuing to set aside \$8.0 million for a Department of Corrections request that will be forthcoming. This request will address prison capacity, including medical costs, for both FY 2018-19 and FY 2019-20.

As mentioned above, the Ridge View request for competency restoration beds was delayed by the Department of Human Services, resulting in a reduction of \$3.7 million General Fund transferred to the Capital Construction Fund to cover FY 2018-19 capital construction requests.

FY 2018-19 General Fund Ending Balance (\$1,194.0 million)

The ending balance for FY 2018-19 represents the difference between the General Fund available of \$13,878.9 million and General Fund expenditures of \$12,684.9 million. This amounts to an ending balance of \$1,194.0 million, or 10.7 percent of the General Fund expenditures subject to the reserve. This sum is \$384.7 million above the reserve requirement of \$809.3 million, which represents 7.25 percent of General Fund expenditures subject to the reserve.

FY 2018-19 General Fund Summary

General Fund Available	\$13,878.9 million
General Fund Expenditures	<u>\$12,684.9 million</u>
Preliminary Ending Balance	\$1,194.0 million
Preliminary Ending Balance	\$1,194.0 million
General Fund 7.25% Reserve Calculation	\$809.3 million <1>
Moneys Above Reserve Calculation	\$384.7 million

<1> Reserve is calculated based on appropriations subject to the General Fund limit and reserve requirement totaling \$11,162.6 million.

## General Fund Discussion for FY 2019-20

### FY 2019-20 General Fund Revenue Available (\$14,427.1 million)

The FY 2019-20 total available General Fund is \$14,427.1 million. This figure is based on a beginning balance of \$1,194.0 million, General Fund revenues of \$13,213.0 million and transfers to the General Fund of \$20.1 million identified in the December OSPB forecast.

### FY 2019-20 General Fund Expenditures (\$13,471.9 million)

General Fund expenditures requested for FY 2019-20 total \$13,471.9 million. This amount includes \$11,939.9 million subject to the General Fund limit and reserve requirement in Section 24-75-201.1, C.R.S. and \$1,532.0 million that is exempt from these requirements. Of the \$1,532.0 million amount, \$149.3 million is associated with the December OSPB forecasted rebates and expenditures, \$529.6 million is associated with the TABOR refund and \$853.2 million is for transfers for capital construction, transportation, State Education Fund and other transfers.

Relative to the January 2 request, this January 15<sup>th</sup> request seeks \$94.6 million in additional General Fund, with \$13.1 million General Fund that is subject to the General Fund limit and reserve requirement and an increase of \$81.6 million that is not subject to these requirements. The \$81.6 million increase is attributable to three adjustments:

- 1) The Ridge View request for competency restoration beds was delayed by the Department of Human Services, resulting in a reduction of \$11.5 million General Fund transferred to the Capital Construction Fund to cover FY 2019-20 capital construction requests. This reduction is reflected in the \$853.2 million amount of total transfers from the General Fund noted above.
- 2) Two cash fund proposals are anticipated to increase cash fund revenue to the State in FY 2019-20. This will increase the TABOR refund by an estimated \$1.5 million General Fund. This \$1.5 million amount is reflected in the \$529.6 million total TABOR refund amount noted above.
- 3) The budget includes a proposed transfer of \$91.6 million to increase the reserve level in the State Education Fund. This \$91.6 million amount is reflected in the \$853.2 million amount of total transfers from the General Fund noted above.

This request includes a net decrease of \$4.3 million in department budgets and a net increase of \$11.3 million to FY 2019-20 placeholders for legislative initiatives. Please see the following table for a final list of placeholders for FY 2019-20, which includes revised placeholders with the January 2nd request and new placeholders with this January 15th request.

<b>Final Legislative Placeholders for FY 2019-20</b>	
<b>Revised FY 2019-20 Placeholders with Jan 2 Request</b>	
Opioid Initiatives	\$5,000,000
CO Improving Outcomes for Youth Taskforce - Juvenile Justice Initiatives	\$500,000
DMVA Update State Awards	\$8,000
DOR E-file	\$20,000
DPS Community Corrections Performance Based Contracting	\$25,000
Tax Credit Implementation Resources	\$185,000
<b>Total Placeholders with Jan 2 Request</b>	<b>\$5,738,000</b>
<b>New Placeholders for FY 2019-20 with Jan 15 Request</b>	
Teacher Loan Forgiveness	\$6,500,000
Repurpose Nov 1 Budget Request (CDHE R-04, Colorado Teacher Scholarship)	-\$6,500,000
High School Freshman Success Fund	\$2,000,000
Expand Dual and Concurrent Enrollment	\$1,500,000
Prescription Drug Importation	\$1,300,000
Reinsurance Program	\$1,148,000
Competitive State-backed Health Insurance Study	\$400,000
Community-based Competency Restoration Services	\$2,485,600
Rural Economic Grant Program	\$2,500,000
<b>Additional Placeholders with Jan 15 Request</b>	<b>\$11,333,600</b>
<b>Total FY 2019-20 Placeholders for Legislation with General Fund Impact</b>	<b>\$17,071,600</b>

*FY 2019-20 General Fund Ending Balance (\$955.2 million)*

Our ending FY 2019-20 General Fund reserve is \$955.2 million. This amount represents the difference between the \$14,427.1 million in net available revenue less the \$13,471.9 million in General Fund expenditures. The \$955.2 million reserve calculation represents 8.0 percent of the \$11,939.9 million subject to the General Fund reserve.

FY 2019-20 General Fund Summary

General Fund Available	\$14,427.1 million
General Fund Expenditures	<u>\$13,471.9 million</u>
General Fund Ending Balance	\$955.2 million
General Fund Ending Balance	\$955.2 million
General Fund 8.0% Reserve Calculation	<u>\$955.2 million</u> <1>
Balance Above Reserve	\$0 million

<1> Reserve is calculated based on General Fund appropriations of \$11,939.9 million subject to the General Fund limit and reserve requirement. The FY 2019-20 General Fund reserve calculates to an 8.0 percent General Fund reserve.





### *Cost and FTE*

- The Department of Corrections (DOC) requests a supplemental funding increase of \$2,095,990 cash funds from the State Employee Reserve Fund (SERF) for FY 2018-19 in the Housing and Security Subprogram personal services appropriation.

### *Current Program*

- Vacancy savings funds correctional officer overtime.
- Overtime may be authorized: (a) in an emergency; (b) to cover a station or assignment of another DOC employee not available to work; (c) to provide essential services when they cannot be provided by overlapping work schedules; and (d) to carry out short-range assignments in which the utilization of regular DOC employees is more advantageous than the hiring of additional DOC employees.
- Overtime covers minimal correctional facility staffing patterns and does not bring facilities up to normal staffing patterns.
- Senate Bill 13-210 essentially requires the payment of overtime versus using compensatory time for correctional officers.

### *Problem or Opportunity*

- The FY 2018-19 overtime is projected to exceed the existing personal services appropriations by \$2,095,990.
- The overtime projection for FY 2018-19 was set to \$18,000,000 based on FY 2017-18 actual overtime.
- Overtime has exceeded the forecasted need for the first five months of FY 2018-19.
- The FY 2018-19 correctional officers' turnover rate is projecting to be 4.1% higher than FY 2017-18.

### *Consequences of Problem*

- If the requested funding changes are not implemented, it will limit the Department of Corrections' ability to ensure the safety and security of its facilities.

### *Proposed Solution*

- The Department of Corrections (DOC) requests a funding increase of \$2,095,990 cash funds from the State Employee Reserve Fund (SERF) for FY 2018-19 in the Housing and Security Subprogram personal services appropriation. Legislation will be required to utilize funds from the SERF for this purpose, and the Department respectfully requests that the Joint Budget Committee introduce such legislation.



***Cost and FTE***

- The Department requests a decrease of \$77 million total funds, in FY 2018-19. In addition, the Department requests a decrease of \$274 million total funds in FY 2019-20 for the *state share* portion of the Public School Finance Act.

***Current Program***

- By January of each fiscal year, school districts and the Department know the actual funding pupil count, at-risk pupil count, and local revenues available to support school finance (Total Program). Based upon these changes, the Department is submitting a FY 2018-19 supplemental request and a FY 2019-20 Budget Amendment to reflect updated data.

***Problem or Opportunity***

- In FY 2018-19, the actual funded pupils decreased from the original appropriation estimate of 871,141 to 870,084 funded pupils, a decrease of 1,057 pupils or 0.12 percent. Based on the FY 2018-19 pupil counts, the funded pupil estimate for FY 2019-20 is decreased from 876,386 funded pupils to 872,201 funded pupils, a decrease of 4,185 pupils or 0.48 percent.
- For FY 2018-19, the local share for the School Finance Act is approximately \$56.1 million more than the amount assumed in the current appropriation.
- For FY 2019-20, Legislative Council staff estimates that local share will be \$2.851 billion. This amount includes \$2.640 billion from property taxes and \$210.6 million from specific ownership taxes. The updated local share estimate included in the FY 2019-20 Budget Amendment is \$199.4 million higher than the local share amount included in the November 1 request.
- The budget amendment for FY 2019-20 also includes an adjustment for the inflation rate from 3% to 2.7% to reflect the recently published increase in Consumer Price Index for 2018.

***Consequences of Problem***

- The decrease in the funded pupil count and the at-risk student count reduces the amount of funding needed for Total Program by \$21.5 million in FY 2018-19 and by \$74.6 million in FY 2019-20 from the original November 1, 2018 estimate.
- Updates to the pupil counts, property valuations, and the inflation rate results in reduction in the state share for Total Program by \$77 million in FY 2018-19 and \$274 million in FY 2019-20.

***Proposed Solution***

- The requested adjustments for FY 2018-19 and FY 2019-20 will provide the necessary resources for funding of the Total Program requirements after the application of the Budget Stabilization Factor.



***Cost and FTE***

- The Governor’s office is requesting \$226,996,623 on-going General Fund to increase the kindergarten enrollment funding from 0.58 FTE to 1.0 FTE. This amendment also includes a request to repurpose the current funding for Hold-Harmless Kindergarten in the State Education Fund for this program.

***Current Program***

- There is abundant evidence that moving from half-day to full-day kindergarten sets kids up to be more successful in school and in life – improving performance, reducing inequities, narrowing achievement gaps, even increasing high school graduation rates.
- Despite this evidence, 13,000 children across the state are not enrolled in full-day kindergarten. While some parents may choose not to send their children to full-day kindergarten, and may continue to choose a half day under this proposal, all families should have access to a free, full-day option.

***Problem or Opportunity***

- Increasing state funding from .58 FTE to 1.0 FTE for all children enrolled in full-day kindergarten will ensure that all school districts have the opportunity to offer full-day kindergarten without charging tuition or cutting other programs.

***Consequences of Problem***

- Studies have shown that full-day kindergarten improves child outcomes, increases labor participation, and helps to close achievement gaps.
- Enrollment in full-day kindergarten varies across the state.
- Fully funding full-day kindergarten will help ensure that all children have the opportunity to attend full-day learning opportunities.

***Proposed Solution***

- All school districts that provide full-day kindergarten will receive 1.0 FTE for each child enrolled in full-day kindergarten.
- Increasing the kindergarten factor from 0.58 FTE to 1.0 FTE will also free up resources for school districts to spend on other priorities.
- Approximately 5,136 slots from the Early Childhood At-Risk Enhancement (ECARE) program can be repurposed for the Colorado Preschool Program.
- READ act funds currently spent on full-day kindergarten can be repurposed for additional early literacy programs such as tutoring services or other evidence-based early learning interventions.
- Any funding that is not distributed for full-day kindergarten at the end of FY 2019-20 will be transferred to the State Education Fund.



***Cost and FTE***

- The Governor’s Office requests \$13,023,172 ongoing General Fund for expansion of the Colorado Preschool Program (CPP). This funding will provide approximately 3,066 additional CPP slots.

***Current Program***

- The Colorado Preschool Program (CPP) is an early childhood education program. CPP provides access to quality early childhood education for children who lack overall learning readiness.
- Children are determined eligible for CPP by individual and family risk factors.
- The program’s most recent legislative report showed CPP graduates scored higher in mathematics, were less likely to have a significant reading deficiency, and were less likely to be retained in grades K-3 than their peers who did not attend CPP.

***Problem or Opportunity***

- Despite evidence that children are making significant gains in learning and development in the program, CPP is funded for 29,360 slots. It is estimated that 8,202 additional children are eligible to participate.
- Additional state funding for the CPP program will ensure that all children who qualify for this program will receive quality early childhood education that will prepare them for kindergarten.

***Consequences of Problem***

- Access to quality early childhood education is a proven strategy to improve outcomes for children and their families. Quality early learning programs have been associated with short and long-term benefits for children, families, and societies, including higher graduation rates, lower crime rates, higher maternal labor participation, and better health outcomes for children. This program targets the most vulnerable children and ensures that they are given the tools and resources they need to be successful.

***Proposed Solution***

- Providing state funds for full-day kindergarten through the Total Program calculations (BA-02) will make available 5,136 Early Childhood At-Risk Enhancement (ECARE) slots.
- An additional 3,066 slots funded in this request will help ensure all eligible children can attend high-quality preschool through the CPP program.
- Although the requested funding will be distributed to school districts through the Department of Education, the additional CPP slots are expected to increase preschool licensing workload within the Office of Early Childhood in the Department of Human Services (DHS). The exact impact of this request to DHS is unknown at this time. As this proposal is further developed, the Department will evaluate the increased costs of licensing any potential new preschools. We would like to work with the Joint Budget Committee to make any needed resources available to DHS beginning July 1, 2019 to ensure the timely implementation and availability of preschool slots.



### ***Cost and FTE***

- The Governor’s Office requests \$25,719,814 General Fund for distribution to school districts to help defer the start-up costs of providing free full-day kindergarten for all students in FY 2019-20.

### ***Current Program***

- There is abundant evidence that moving from half-day to full-day kindergarten sets kids up to be more successful in school and in life – improving performance, reducing inequities, narrowing achievement gaps, even increasing high school graduation rates.
- Despite this evidence, 13,000 children across the state are not enrolled in full-day kindergarten. While some parents may choose not to send their children to full-day kindergarten, and may continue to choose a half day under this proposal, all families should have access to a free, full-day option.

### ***Problem or Opportunity***

- While most districts currently provide full-day kindergarten, school districts across the state with low percentages of children enrolled in full-day kindergarten may experience challenges transitioning to full-day kindergarten in one year. These challenges may include acquiring additional facilities and hiring or retaining high-quality teachers.

### ***Consequences of Problem***

- Studies have shown that full-day kindergarten improves child outcomes, increases labor participation, and helps to close achievement gaps.
- Enrollment in full-day kindergarten varies across the state.
- This funding will empower all school district to offer free full-day kindergarten by providing funds for districts to make this transition possible in FY 2019-20.

### ***Proposed Solution***

- Funding for full-day kindergarten implementation will be provided as an additional 0.05 FTE for each student enrolled in full-day kindergarten. This funding will be in addition to the increased funding for each kindergarten student proposed in BA-02.
- The intention of this funding is to assist districts with up-front costs for implementing full-day kindergarten. It will be distributed by the Department of Education as early in the fiscal year as possible.
- Any state funding that is not distributed in FY 2019-20 will be transferred to the State Education Fund.



***Cost and FTE***

- The Department requests an adjustment of the inflationary increase for categorical programs from 3% to 2.7%. This budget amendment request includes a reduction of \$923,224 total funds, a reduction of \$425,296 General Fund., and a reduction of \$497,928 State Education Fund.

***Current Program***

- In addition to funding provided to public schools from the School Finance Act formula, Colorado school districts may also receive funding to pay for specific categorical programs designed to serve particular groups of students or particular student needs. Total funding appropriated for these programs in FY 2018-19 is \$475.3 million. Of this amount, \$141.8 million is General Fund, \$166.4 million is cash funds (\$166 million from the State Education Fund and \$450,000 from Public School Transportation Fund), \$191,090 are funds transferred from other state agencies, and \$167 million are from federal funds.
- The programs that receive this funding include special education programs for children with disabilities, English language proficiency education, public school transportation, career and technical education programs, special education for gifted and talented children, expelled and at-risk student grants, small attendance centers, and comprehensive health education.

***Problem or Opportunity***

- Section 17 of Article IX of the State Constitution requires that the General Assembly provide inflationary increases for categorical programs each year. FY 2019-20 inflation numbers have been updated from 3% to 2.7% to reflect the recently published increase in the Denver-Aurora-Lakewood Consumer Price Index for 2018.

***Consequences of Problem***

- A 2.7% inflationary rate results in a reduction of \$923,224 from the November 1, 2018 budget request.

***Proposed Solution***

- The proposed budget amendment changes are reflected to the following programs: Special Education programs in the amount of -\$518,835, English Language Proficiency Programs in the amount of -\$164,506, Public School Transportation in the amount of -\$156,794, Career and Technical Education in the amount of -\$63,903, and Gifted and Talented Programs in the amount of -\$19,185.



# COLORADO

## Office of the Lieutenant Governor

Priority: S-01 / BA -01  
Lt. Governor's Office Restructure  
FY 2018-19 and 2019-20 Change Request

### **Cost and FTE**

- This is a FY 2018-19 supplemental request for \$100,820 General Fund and 0.75 FTE, annualized to \$246,912 General Fund and 1.5 FTE in FY 2019-20.
- The request will: (1) Fund the Lt. Governor's salary for her concurrent role as the Executive Director of a department, and (2) Create within the Lt. Governor's Office a new "Office of Saving People Money on Health Care" staffed with 1.5 FTE.

### **Current Program**

- The Lieutenant Governor serves as the State's second highest-ranking elected or appointed official in the executive branch. According to the Colorado Constitution, the Lt. Governor has the authority to act as Governor if the sitting Governor is traveling out of state or unable to act as Governor.
- The Lt. Governor's Office oversees Serve Colorado, the Colorado Commission of Indian Affairs, the Office of eHealth Innovation, and the State Innovation Model. The Lt. Governor serves as Co-Chair of the Space Coalition, Co-Chair of the Early Childhood Leadership Commission and is on the Executive Committee of the Education Leadership Council.
- During the Hickenlooper Administration, the Lt. Governor served concurrently as the State's Chief Operating Officer.

### **Problem or Opportunity**

- Under the Polis Administration, the Lt. Governor will *not* serve concurrently as the State's Chief Operating Officer (COO). Instead, she will serve concurrently as the Executive Director of the new "Office of Saving People Money on Health Care."
- During the Hickenlooper Administration, the COO's salary was funded from various other offices within the Governor's Office. There was no direct appropriation given to the Office for this purpose.
- Governor Polis and Lt. Governor Primavera believe all Coloradans should have access to high-quality, affordable health care, and seek to establish this new Office toward that end.

### **Proposed Solution**

- The first proposed solution is to establish a dedicated source of funding for the Lt. Governor's salary in her new capacity of Executive Director of the "Office of Saving People Money on Health Care." In this request, \$66,640 is included as a base salary increase for this purpose.
- The second proposed solution is to create and staff a new "Office of Saving People Money on Health Care" with 1.5 FTE that will focus on ensuring that Coloradans have access to higher quality health services at a lower cost. In this request, \$135,000 in base salaries is included for this purpose.





## Cost and FTE

- The request is for \$60,000 General Fund and 0.5 FTE for FY 2018-19, annualized to \$154,075 General Fund and 1.0 FTE in FY 2019-20.
- This request seeks to create and fund the new *Director of Operations and Cabinet Affairs* position within the Governor's Office.

## Current Program

- During the Hickenlooper Administration, H.B. 16-1462 temporarily modified statute combining the role of the Lt. Governor with that of the State Chief Operating Officer (COO), and allowed this position to also receive a salary increase commensurate to that of a head of a principal department.
- The fiscal note indicated that the incremental salary (above the Lt. Governor's statutory salary of \$68,500 at the time) should come from vacancy savings and grants; there was no appropriation. Therefore the COO's salary was pulled from various other offices within the Governor's Office.
- Governor Polis does *not* plan to continue with the role of the COO as specified in H.B. 16-1462.

## Problem or Opportunity

- Under the Polis Administration, the Lt. Governor will *not* serve concurrently as the State's Chief Operating Officer (COO). Instead, she will serve concurrently as the Executive Director of the new "Office of Saving People Money on Health Care."
- During the Hickenlooper Administration, the COO's salary was funded from various other offices within the Governor's Office. There was no direct appropriation given to the Office for this purpose.

## Proposed Solution

- This request will create and fund the new *Director of Operations and Cabinet Affairs* position to replace that of the State Chief Operating Officer.
- This position will be separate from that of the Lt. Governor and additional funding will provide a stable and dedicated source of funding in the Long Bill for this new role.





***Cost and FTE***

- The Department of Human Services requests a decrease in total funds of \$708,742, including a decrease of \$800,248 General Fund, an increase of \$49,656 reappropriated funds and \$41,850 federal funds in FY 2018-19 for the Division of Youth Services (DYS). In FY 2019-20, the Department requests a decrease in total funds of \$1,792,692 including a decrease of \$159,606 General Fund, \$172,005 reappropriated funds and \$1,461,081 federal funds. The supplemental and budget amendment are the result of savings incurred due to temporary facility closures and a change in the caseload forecast.

***Current Program***

- DYS operates ten State-owned secure facilities for detention and commitment. In addition, the State places youth at three State-owned, privately-operated facilities. In FY 2018-19, the operator for two of these facilities (DeNier and Marler) had licensing actions which resulted in temporary closures of the facilities and decreased expenses in the Purchase of Contract Placement line item.
- The Division's current FY 2018-19 appropriation is based on the December 2017 Legislative Council Staff (LCS) forecasted average daily population (ADP) of 637. The December 2018 LCS projection has decreased to 626 ADP for FY 2018-19, and 609 ADP for FY 2019-20.

***Problem or Opportunity***

- The Division requires a realignment between line items to recognize the current decreased need in Purchase of Contract Placements as well as transferring spending authority from this appropriation to the Institutional Programs Personal Services line as a result of staffing the Marler program.
- The Division will not be participating in the Federal IV-E program in FY 2019-20, and therefore will collect less federal funds. The lower caseload projection for FY 2019-20 provides an opportunity to mitigate the loss of funding.

***Consequences of Problem***

- If the various line items are not adjusted for the projected ADP, the Division will be overfunded in the Purchase of Contract Placements and underfunded in Institutional Programs line items.

***Proposed Solution***

- The Department requests a reduction in total funds to align its appropriation with the forecasted caseload and for alignment in Institutional Programs.
- The Department is also requesting limited line item flexibility for FY 2018-19 and FY 2019-20 as the costs for the operations at Marler and DeNier are estimated and the implementation of additional state commitment beds is unpredictable.



### ***Cost and FTE***

- The Oil and Gas Conservation Commission (OGCC) requests an increase of \$1,225,555 from the Oil and Gas Conservation and Environmental Response Fund for 11.0 FTE, six state vehicles, and additional leased space to improve the division's field presence, as well as its ability to conduct timely environmental investigations and enforce state rules. Ongoing costs are \$1,181,205.
- The proposed increase in FTE is comprised of 4.0 Field Inspectors, 2.0 Environmental Protection Specialists, 2.0 Engineers, 2.0 Enforcement Officers, and 1.0 Program Assistant. OGCC staff must always be added in a balanced fashion across work units because adding staff in one area increases workload in others.

### ***Current Program***

- The OGCC ensures that the state's oil and gas resources are produced in an economically efficient manner that protects the rights of mineral owners and which holds operators to the highest standards in the nation for protecting public health, safety, welfare, the environment, and wildlife.

### ***Problem or Opportunity***

- The overall number of oil and gas field inspections has declined recently due to a number of factors. The primary factors driving the decline in the frequency of inspections are the length of time it has been taking to: (1) respond to the increasing number of public complaints, the inspection unit's highest priority; and (2) observe other high priority events such as the spudding, hydraulic fracturing, and plugging of wells near residential areas.
- Routine inspections are important because they can help the OGCC proactively find spills, permit violations, and other potential risks to the public, the environment, and wildlife.

### ***Consequences of Problem***

- The recent decline in field inspections and the worsening of the statewide average inspection frequency can cause potential hazards to remain undetected for long periods of time. For example, a damaged pit covering can lead to the entrapment of wildlife; unauthorized venting and flaring of natural gas may go undetected for weeks; and outdated and incorrect signage on oil and gas locations, something that is checked during routine inspections, can cause delays and other issues for first responders in the event of a fire or other emergency.

### ***Proposed Solution***

- To address these problems, the OGCC requests funding for an additional 11.0 FTE, comprised of four field inspectors (4.0 FTE) and the staff required to support them (7.0 FTE). Support staff includes two environmental protection specialists, two engineers, two enforcement officers, and a program assistant for the field inspection unit.
- Funding this request assumes the Oil and Gas Conservation Commission votes to increase the mill levy rate by 0.1 mills, effective July 2019. Current oil and gas production and price projections indicate that a 0.1 rate increase will generate an additional \$1.23 million in FY 2019-20 and \$1.21 million in FY 2020-21.



# COLORADO

Department of Personnel  
& Administration

Priority: BA-02  
Paid Parental Leave  
FY 2019-20 Budget Amendment

## ***Cost and FTE***

- The Department of Personnel & Administration requests \$3,021,062 total funds, including \$1,769,284 General Fund, for a new paid parental leave category for state employees. This request is for an ongoing policy which will begin in FY 2019-20, and will be appropriated centrally within each department's Executive Director's Office (EDO). This allows for flexibility as departments can move the funds as needed to the appropriate personal services or program line items.

## ***Current Program***

- The Family Medical Leave Act (FMLA), passed in 1993, provides access to many American workers to have access to unpaid, job-protected leave. Under current State Personnel Rules, if a state employee has been employed for at least 12 consecutive months with the state (or 1,520 hours) and becomes a new parent, via birth, adoption, or foster placement, they can utilize family/medical unpaid leave with job protection for up to 13 weeks (or 520) hours in the 12 months following the event. Employees are required to use all sick leave, annual leave, and compensatory time before being placed on unpaid family/medical leave.

## ***Problem or Opportunity***

- Currently, when an employee takes maternity or paternity leave, they are required to use any accrued sick or annual leave. If they don't have sufficient leave to take the full 13 weeks of FMLA, they must either take unpaid leave or return to work early.
- If a new parent returns to work too early, there are negative impacts to the health of the child and parent, including an increased possibility of depression, and potential economic impacts, such as decreased productivity and low morale. Many studies find that parental leave enhances children's health and development and is associated with increases in the duration of breastfeeding and reductions in infant deaths and behavioral issues.

## ***Consequences of Problem***

- If this request is not approved, families will continue to have to use accrued leave or go unpaid for the duration of their parental leave. A parent may not be able to take the full time allowable to bond with their child, which in turn could affect the child's health and development.

## ***Proposed Solution***

- The requested funding will be used to cover the cost to backfill critical positions for 8 weeks of paid parental leave. Departments that have critical positions that must be filled, including 24x7 work centers, direct care positions, and hourly non-exempt positions require additional appropriations; because the paid parental leave and subsequent backfill will be paid simultaneously, existing budgets may not have sufficient room.
- The proposed policy is for 8 weeks of paid parental leave for use by new-parent employees to recover from the birth of a child and/or to care for and bond with a new child. New-parent employee may include a birth mother or father, domestic partner, adoptive parent or foster parent, and the qualifying event may include circumstances such as birth, adoption, or foster placement.
- In the event that the legislature were to pass legislation to implement a more comprehensive program for paid family and medical leave, the Executive Branch can work with the legislature to repurpose these funds.



**Cost and FTE**

- The Department requests \$262,978 cash funds and 3.6 FTE in FY 2019-20, annualizing to \$218,361 cash funds and 3.6 FTE in FY 2020-21 and ongoing, to expand service delivery associated with Senate Bill 13-251, the Colorado Road and Community Safety Act. The fund source is the Licensing Services Cash Fund.

**Current Program**

- Senate Bill 13-251 requires the Division of Motor Vehicles (DMV) to issue a Colorado driver's license, instruction permit, or identification card to individuals who either cannot demonstrate lawful presence or can only demonstrate temporary lawful presence in the United States.
- The DMV currently provides services to this population at four locations (Westgate, Grand Junction, Colorado Springs, and Aurora) for a total of 130 first-time application appointments and 77 renewal application appointments each day.
- S.B. 18-108 provided for online renewal and increased program demand by expanding the number of individuals eligible for the service.
- H.B. 18-1322 Long Bill footnote 103 states that once the program provides licenses or identification for 66,000 first-time applicants, the program will reduce services to a single office in the Denver metro-area.

**Problem or Opportunity**

- The demand for these licenses continues to exceed appointment availability. The wait-time for obtaining or renewing a driver's license under S.B. 13-251 ranges from three months to two years.
- Staff can currently support approximately 32,000 appointments for new applications and 19,250 appointments for renewal applications each year. Currently, appointments are booked within less than an hour of becoming available.
- The time and cost for applicants to travel to one of the current locations can be significant.

**Consequences of Problem**

- Without the requested expansion, demand for these licenses will continue to exceed appointment availability. This leads to fewer drivers on the road with valid licenses or insurance, threatening the safety and financial security of all Coloradans.
- Without a modification to the current Long Bill footnote, services are expected to cease at all but a single location after June 2019, exacerbating current wait times and reducing access to these services for Coloradans who do not live in the Denver metro-area.

**Proposed Solution**

- The Department requests \$262,978 cash funds and 3.6 FTE in FY 2019-20, annualizing to \$218,361 cash funds and 3.6 FTE in FY 2020-21 and ongoing, to expand service delivery to the existing Durango office. This would allow the DMV to improve current service levels.
- The Department additionally requests the elimination of the current Long Bill footnote 103, allowing the Division to maintain service delivery to meet ongoing demand.