

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

DRAFT
1.7.20

DRAFT

LLS NO. 20-0913.01 Nicole Myers x4326

COMMITTEE BILL

Statutory Revision Committee

BILL TOPIC: "Estimate Of Non-fee Sources Of Cash Fund Revenue"

A BILL FOR AN ACT

101 CONCERNING THE REPEAL OF CERTAIN LANGUAGE USED TO
102 DETERMINE CASH FUND REVENUE THAT IS DERIVED FROM
103 NON-FEE SOURCES WHEN CALCULATING THE AMOUNT OF
104 UNCOMMITTED RESERVES IN A CASH FUND AT THE END OF A
105 FISCAL YEAR.

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/>.)

Statutory Revision Committee. Current law limits the amount of uncommitted reserves that may remain in a cash fund at the end of any

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

fiscal year. The definition of "uncommitted reserves" excludes revenue credited to a cash fund that is estimated to be derived from non-fee sources.

Current law further specifies that when calculating the estimated revenue from non-fee sources, the estimate is required to be an amount equal to the portion of total revenues received from non-fee sources in the prior fiscal year. This requirement and, in particular, the phrase "prior fiscal year" is causing confusion among executive branch departments and is not necessary for the proper administration of the statute. The bill repeals the requirement that the estimate for non-fee revenue is equal to the portion of total revenues received from non-fee sources in the prior fiscal year.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-75-402, **amend**
3 (2)(h)(IV) as follows:

4 **24-75-402. Cash funds - limit on uncommitted reserves -**
5 **reduction in the amount of fees - exclusions - repeal.** (2) For purposes
6 of this section, unless the context otherwise requires:

7 (h) "Uncommitted reserves" means the fund balance of a cash
8 fund as of June 30 of any fiscal year, minus the following:

9 (IV) Any portion of the revenues credited to the cash fund that is
10 estimated to be derived from non-fee sources. ~~The estimate shall be equal~~
11 ~~to the portion of total revenues received from non-fee sources in the prior~~
12 ~~fiscal year.~~

13 **SECTION 2. Safety clause.** The general assembly hereby finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, or safety. <{*Ask Committee*}>