

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 24-1190

BY REPRESENTATIVE(S) Bird, Sirota, Taggart, Amabile, Brown, Clifford, Daugherty, Marshall, Snyder, Woodrow, McCluskie;
also SENATOR(S) Zenzinger, Bridges, Kirkmeyer, Priola.

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF
LAW.

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

SECTION 1. Appropriation to the department of law for the fiscal year beginning July 1, 2023. In Session Laws of Colorado 2023, section 2 of chapter 474, (SB 23-214), **amend** Part XI as follows:

Section 2. Appropriation.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
PART XI DEPARTMENT OF LAW							
(1) ADMINISTRATION							
Personal Services	5,448,593					5,448,593 ^a (56.0 FTE)	
Office of Community Engagement	1,009,080 (8.8 FTE)		994,080		15,000 ^b		
Patterns and Practices	449,057		449,057 (2.8 FTE)				
Health, Life, and Dental Short-term Disability	7,881,423 97,310		1,960,401 23,827		1,040,076 ^c 11,412 ^c	4,616,121 ^d 59,491 ^d	264,825(I) ^e 2,580(I) ^e
S.B. 04-257 Amortization Equalization Disbursement	3,257,151		798,952		374,142 ^c	1,997,853 ^d	86,204(I) ^e
S.B. 06-235 Supplemental Amortization Equalization Disbursement	3,257,151		798,952		374,142 ^c	1,997,853 ^d	86,204(I) ^e
Salary Survey for Classified Employees	932,933		271,952		301,885 ^c	290,163 ^d	68,933(I) ^e
Salary Survey for Exempt Employees	6,434,758		1,341,356		249,210 ^c	4,817,904 ^d	26,288(I) ^e
PERA Direct Distribution	198,235		54,306		24,112 ^c	119,817 ^d	
Workers' Compensation	181,482		48,232		23,873 ^c	102,966 ^d	6,411(I) ^e
Attorney Registration and Continuing Legal Education	176,036		33,987		4,465 ^c	135,803 ^d	1,781(I) ^e
Operating Expenses	245,867					245,867 ^a	
Legal Services	211,769		81,341		130,428 ^f		
Administrative Law Judge Services	1,118				1,118 ^c		

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Payment to Risk Management and Property Funds	393,081 884,210		104,470 260,008		51,704 ^c	223,022 ^d 558,613 ^d	13,885(I) ^e
Vehicle Lease Payments	83,975		33,200		15,000 ^c	28,175 ^d	7,600(I) ^e
Information Technology Asset Maintenance	1,369,433		363,954		180,135 ^c	776,971 ^d	48,373(I) ^e
Ralph L. Carr Colorado Judicial Center Leased Space	3,629,348		964,571		477,401 ^c	2,059,174 ^d	128,202(I) ^e
Payments to OIT	1,374,536 1,488,228		364,996 401,002		181,008 ^c	780,062 ^d 857,748 ^d	48,470(I) ^e
Digital Trunk Radio	20,895		5,804		12,421 ^c	2,670 ^d	
CORE Operations	38,349		10,192		5,045 ^c	21,758 ^d	1,354(I) ^e
Attorney General Discretionary Fund	<u>5,000</u>		5,000				
		36,696,580 37,301,401					

^a Of these amounts, \$5,451,536 shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S., and \$242,924 shall be from statewide indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S.

^b This amount shall be from the Safe2Tell Cash Fund created in Section 24-31-610 (1), C.R.S.

^c Of these amounts, \$255,660(I) shall be from custodial money and \$3,071,489 shall be from various sources of cash funds. Pursuant to Section 24-31-108 (5), C.R.S., custodial money received by the Attorney General is not subject to annual appropriation, but the expenditure of such money may be indicated in the annual general appropriation act. Expenditures from custodial money do not constitute fiscal year spending for the purposes of Section 20 of Article X of the State Constitution.

^d These amounts shall be from various sources of reappropriated funds.

^e These amounts shall be from the federal Medicaid Fraud Control Program administered by the U.S. Department of Health and Human Services and are shown for informational purposes only.

^f This amount shall be from the P.O.S.T. Board Cash Fund created in Section 24-31-303 (2)(b), C.R.S.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(2) LEGAL SERVICES TO STATE AGENCIES⁷⁴						
Personal Services	46,173,374					
	46,681,764					
	(336.2 FTE)					
Operating and Litigation	2,654,287					
Indirect Cost Assessment	4,916,588					
	<u>53,744,249</u>			2,067,378 ^a	51,676,871 ^b	
	54,252,639				52,185,261 ^b	

^a Of this amount, \$1,867,378 shall be from funds that are received for the provision of legal services and that are credited to the Legal Services Cash Fund created in Section 24-31-108 (4), C.R.S., and \$200,000 shall be from the Attorney Fees and Costs Account created pursuant to Section 24-31-108 (3), C.R.S. The cash funds appropriation from the Legal Services Cash Fund reflects funds received from state entities for which there is not a corresponding appropriation made in this act for the purchase of legal services. The Attorney General is authorized to transfer spending authority between cash and reappropriated fund sources appropriated within this section (2), but the Attorney General shall not increase total spending authority for the line item appropriations within this section (2).

^b This amount shall be from funds that are received for the provision of legal services and that are credited to the Legal Services Cash Fund created in Section 24-31-108 (4), C.R.S. The reappropriated funds appropriation reflects funds received from state agencies for which there is a corresponding appropriation made in this act for the purchase of legal services. The Attorney General is authorized to transfer spending authority between cash and reappropriated fund sources appropriated within this section (2), but the Attorney General shall not increase total spending authority for the line item appropriations within this section (2).

(3) CRIMINAL JUSTICE AND APPELLATE

Special Prosecutions Unit	5,488,135	2,830,127 (20.0 FTE)	1,753,913 ^a (15.4 FTE)	904,095 ^b (7.4 FTE)	
Auto Theft Prevention Grant	172,300			172,300(I) ^c (1.0 FTE)	
Appellate Unit	5,111,359 (41.6 FTE)	4,171,200		940,159 ^d	
Medicaid Fraud Control Unit	3,596,188	899,047 (9.0 FTE)			2,697,141(I) ^e (19.0 FTE)
Peace Officers Standards and Training Board Support	6,178,762		6,178,762 ^f (16.0 FTE)		

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Indirect Cost Assessment	<u>843,468</u>	21,390,212			442,857 ^g	94,690 ^b	305,921(I) ^e

^a This amount shall be from the Insurance Fraud Cash Fund created in Section 24-31-104.5 (2), C.R.S.

^b These amounts shall be transferred from the Department of Regulatory Agencies from the Securities Fraud Prosecution line item in the Division of Securities section. These amounts originate as cash funds from the Division of Securities Cash Fund pursuant to Section 11-51-707 (2), C.R.S.

^c This amount shall be transferred from the Department of Public Safety from the Automobile Theft Prevention Authority line item in the Colorado State Patrol section, from a grant awarded pursuant to Section 42-5-112 (3), C.R.S. This amount is shown for informational purposes only because grant funds are continuously appropriated to the Department pursuant to Section 24-31-108 (2)(b), C.R.S.

^d Of this amount, \$855,163 shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S., and \$84,996(I) shall be transferred from the Department of Public Safety from the State Victims Assistance and Law Enforcement Program line item in the Division of Criminal Justice, Victims Assistance section, pursuant to Section 24-33.5-506 (1)(c), C.R.S.

^e These amounts shall be from the federal Medicaid Fraud Control Program administered by the U.S. Department of Health and Human Services and are shown for informational purposes only.

^f Of this amount, \$5,141,996 shall be from from the P.O.S.T. Board Cash Fund created in Section 24-31-303 (2)(b), C.R.S. and \$1,036,766 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.

^g Of this amount, \$233,083 shall be from the P.O.S.T. Board Cash Fund created in Section 24-31-303 (2)(b), C.R.S., and \$209,774 shall be from the Insurance Fraud Cash Fund created in Section 24-31-104.5 (2), C.R.S.

(4) WATER AND NATURAL RESOURCES

Federal and Interstate Water Unit	1,049,696	1,049,696 (8.1 FTE)				
Defense of the Colorado River Basin Compact	977,107				977,107 ^a (3.5 FTE)	
Defense of the Republican River Compact	110,000				110,000 ^a	
Consultant Expenses	475,000				475,000 ^b	

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Comprehensive Environmental Response, Compensation and Liability Act	594,444					594,444 ^c (3.5 FTE)	
Indirect Cost Assessment	<u>50,987</u>					50,987 ^c	
		3,257,234					

^a These amounts shall be from the Colorado Water Conservation Board's Litigation Fund created in Section 37-60-121 (2.5)(a), C.R.S.

^b Of this amount, \$425,000 shall be from the Colorado Water Conservation Board's Litigation Fund created in Section 37-60-121 (2.5)(a), C.R.S., and \$50,000 shall be from the Attorney Fees and Costs Account created in Section 24-31-108 (3), C.R.S.

^c These amounts shall be transferred from the Department of Public Health and Environment from the Transfer to the Department of Law for CERCLA-Related Costs line item in the Hazardous Materials and Waste Management Division, Contaminated Site Cleanups and Remediation Programs section. These amounts originate as cash funds from the Hazardous Substance Response Fund and are transferred pursuant to Section 25-16-104.5 (1.7)(a)(III), C.R.S.

(5) CONSUMER PROTECTION

Consumer Protection and Antitrust	5,728,974 (41.8 FTE)		2,728,990		2,832,352 ^a	167,632 ^b	
Consumer Credit Unit	2,568,079				2,568,079 ^c		
False Claims Recovery Act Reimbursements	300,000				300,000 ^d (25.0 FTE)		
Indirect Cost Assessment	<u>738,581</u>				716,729 ^e	21,852 ^b	
		9,335,634					

^a Of this amount, \$1,989,643(I) shall be from custodial money, \$583,000 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., and \$259,709 shall be from the Tobacco Settlement Defense Account of the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115 (2)(a), C.R.S. Pursuant to Section 24-31-108 (5), C.R.S., custodial money received by the Attorney General is not subject to annual appropriation but the expenditure of such money may be indicated in the annual general appropriation act. Expenditures from custodial money do not constitute fiscal year spending for the purposes of Section 20 of Article X of the State Constitution.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^b These amounts shall be transferred from the Department of Regulatory Agencies from the Mortgage Broker Consumer Protection line item in the Division of Real Estate. These amounts originate as cash funds from the Division of Real Estate Cash Fund created in Section 12-10-215 (2)(a)(II)(B), C.R.S., and are transferred pursuant to Section 12-10-719, C.R.S.

^c Of this amount, \$2,209,404 shall be from the Collection Agency Cash Fund created in Section 5-16-134 (1)(a), C.R.S., or from the Uniform Consumer Credit Code Cash Fund created in Section 5-6-204 (1), C.R.S., and \$358,675(I) shall be from the Student Loan Ombudsperson and Student Loan Servicer Licensing Fund created in Section 5-20-104 (3)(a), C.R.S. Appropriations from the Student Loan Ombudsperson and Student Loan Servicer Licensing Fund are shown for informational purposes only because they are continuously appropriated pursuant to Section 5-20-104 (3)(c), C.R.S.

^d This amount shall be from the False Claims Recovery Cash Fund created in Section 24-31-1209 (1), C.R.S.

^e Of this amount, \$305,921 shall be from the Uniform Consumer Credit Code Cash Fund created in Section 5-6-204 (1), C.R.S., or the Collection Agency Cash Fund created in Section 5-16-134 (1)(a), C.R.S., \$279,699(I) shall be from custodial money, and \$58,271(I) shall be from the Student Loan Ombudsperson and Student Loan Servicer Licensing Fund created in Section 5-20-104 (3)(a), C.R.S., \$43,703 shall be from the Marijuana Tax Cash Fund created in Section 29.28.8-501 (1), C.R.S., and \$29,135 shall be from the Tobacco Settlement Defense Account of the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115 (2)(a), C.R.S., pursuant to Section 24-31-108 (5), C.R.S. Custodial money received by the Attorney General is not subject to annual appropriation, but the expenditure of such money may be indicated in the annual general appropriation act. Expenditures from custodial money do not constitute fiscal year spending for the purposes of Section 20 of Article X of the State Constitution. Appropriations from the Student Loan Ombudsperson and Student Loan Servicer Licensing Fund are shown for informational purposes only as they are continuously appropriated pursuant to Section 5-20-104 (3)(c), C.R.S.

(6) SPECIAL PURPOSE

District Attorneys' Salaries	2,813,096		2,813,096
Deputy District Attorney Training	350,000		350,000
District Attorney Assistance for Bond Hearings Grants	600,000		600,000
Litigation Management	1,675,700		1,675,700 ^a
Tobacco Litigation	100,000		100,000 ^b
CORA OML Attorney	101,808		101,808
			(1.0 FTE)
	5,640,604		

^a This amount shall be from either excess earnings credited to the Legal Services Cash Fund created in Section 24-31-108 (4), C.R.S., in FY 2022-23, or from the Attorney Fees and Costs Account created pursuant to Section 24-31-108 (3), C.R.S.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^b This amount shall be from the Tobacco Settlement Defense Account of the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115 (2)(a), C.R.S. Expenditures from the Tobacco Settlement Defense Account of the Tobacco Litigation Settlement Cash Fund do not constitute fiscal year spending for the purposes of Section 20 of Article X of the State Constitution.

TOTALS PART XI

(LAW)	\$130,064,513	\$24,252,594		\$23,670,454 ^a	\$78,347,293 ^b	\$3,794,172
	<u>\$131,177,724</u>	<u>\$24,444,138</u>			<u>\$79,268,960^b</u>	

^a Of this amount, \$2,941,948 contains an (I) notation.

^b Of this amount, \$172,300 contains an (I) notation.

^c This amount contains an (I) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

74 Department of Law, Legal Services to State Agencies -- In making this appropriation, it is the General Assembly's intent that hourly billing rates charged by the Department for legal services to state agencies not exceed \$133.30 per hour for attorneys and not exceed \$97.72 per hour for legal assistants, which equates to a blended legal rate of \$128.02 per hour.

SECTION 2. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Steve Fenberg
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO