

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0826.01 Nicole Myers x4326

HOUSE BILL 12-1308

HOUSE SPONSORSHIP

Singer, Ferrandino, Hulinghorst

SENATE SPONSORSHIP

(None),

House Committees
Finance

Senate Committees

A BILL FOR AN ACT

101 CONCERNING FUNDING FOR ECONOMIC DEVELOPMENT PROGRAMS
102 ADMINISTERED BY THE COLORADO OFFICE OF ECONOMIC
103 DEVELOPMENT.

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://www.leg.state.co.us/billsummaries>.)

The bill directs the general assembly to appropriate additional moneys for economic development programs administered by the Colorado office of economic development (office).

Specifically, the bill creates the economic stability cash fund

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

(fund) that the office may use to help fund economic development programs during times of economic downturn. Beginning in the 2014-15 fiscal year, the general assembly is required to make an annual appropriation to the fund, subject to available appropriations.

In addition, beginning in the 2014-15 fiscal year, the general assembly is required to make an annual appropriation to the office, subject to available appropriations, for the purpose of funding economic development programs that are administered by the office.

The moneys appropriated to the fund and to the office are to supplement, rather than supplant, any other appropriations that the general assembly makes for economic development programs for the applicable fiscal years.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) In times of economic hardship, Colorado needs to be proactive
5 in creating economic development opportunities for businesses and
6 residents to spur economic growth; and

7 (b) The general assembly's efforts to review and improve existing
8 economic development programs such as the "Urban and Rural Enterprise
9 Zone Act", article 30 of title 39, Colorado Revised Statutes, during the
10 2012 legislative session will result in general fund savings that can be
11 used for such economic development opportunities.

12 (2) The general assembly further finds and declares that it intends
13 to use the savings from economic development reform efforts during the
14 2012 legislative session to create an economic stability cash fund that will
15 provide a source of money for economic development programs during
16 times of economic downturn and to increase the annual appropriation to
17 the Colorado office of economic development to assist the office in
18 promoting sustainable economic growth during Colorado's economic
19 recovery.

1 **SECTION 2.** In Colorado Revised Statutes, **add** 24-48.5-114 as
2 follows:

3 **24-48.5-114. Additional funding for economic development -**
4 **economic stability cash fund - creation.** (1) (a) THERE IS HEREBY
5 CREATED IN THE STATE TREASURY THE ECONOMIC STABILITY CASH FUND,
6 REFERRED TO IN THIS SECTION AS THE "FUND". THE FUND SHALL CONSIST
7 OF MONEYS THAT ARE ANNUALLY APPROPRIATED TO THE FUND BY THE
8 GENERAL ASSEMBLY PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION
9 (1) AND SHALL BE USED TO FUND ECONOMIC DEVELOPMENT PROGRAMS
10 DURING TIMES OF ECONOMIC DOWNTURN AS SPECIFIED IN SUBSECTION (2)
11 OF THIS SECTION. THE MONEYS IN THE FUND ARE CONTINUOUSLY
12 APPROPRIATED TO THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT TO
13 BE USED FOR THE PURPOSES OF THE FUND. ALL MONEYS NOT EXPENDED OR
14 ENCUMBERED, AND ALL INTEREST EARNED ON THE INVESTMENT OR
15 DEPOSIT OF MONEYS IN THE FUND, SHALL REMAIN IN THE FUND AND SHALL
16 NOT REVERT TO THE GENERAL FUND OR ANY OTHER FUND AT THE END OF
17 A FISCAL YEAR.

18 (b) FOR THE 2014-15 FISCAL YEAR AND EACH FISCAL YEAR
19 THEREAFTER, SUBJECT TO AVAILABLE APPROPRIATIONS, THE GENERAL
20 ASSEMBLY SHALL APPROPRIATE SEVEN MILLION FIVE HUNDRED THOUSAND
21 DOLLARS FROM THE GENERAL FUND OR FROM ANY OTHER SOURCE TO THE
22 FUND.

23 (2) (a) DURING ANY HIGH UNEMPLOYMENT PERIOD IN COLORADO,
24 THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT MAY USE THE
25 MONEYS IN THE FUND FOR THE PURPOSES OF ANY PROGRAM THAT IS
26 ADMINISTERED BY THE OFFICE.

27 (b) FOR PURPOSES OF THIS SECTION, "HIGH UNEMPLOYMENT

1 PERIOD" MEANS A PERIOD IN WHICH THE SEASONALLY ADJUSTED U-3
2 UNEMPLOYMENT RATE, OR SUCCESSOR INDEX, FOR COLORADO AS
3 DETERMINED BY THE UNITED STATES SECRETARY OF LABOR, FOR THE
4 MOST RECENT THREE MONTHS FOR WHICH DATA FOR COLORADO IS
5 PUBLISHED, EQUALS OR EXCEEDS EIGHT PERCENT.

6 (3) IN ADDITION TO ANY MONEYS MADE AVAILABLE TO THE
7 COLORADO OFFICE OF ECONOMIC DEVELOPMENT PURSUANT TO
8 SUBSECTION (1) OF THIS SECTION, FOR THE 2014-15 FISCAL YEAR AND
9 EACH FISCAL YEAR THEREAFTER, SUBJECT TO AVAILABLE
10 APPROPRIATIONS, THE GENERAL ASSEMBLY SHALL APPROPRIATE SEVEN
11 MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND OR
12 FROM ANY OTHER SOURCE TO THE COLORADO OFFICE OF ECONOMIC
13 DEVELOPMENT FOR ECONOMIC DEVELOPMENT PROGRAMS. THE OFFICE
14 SHALL ALLOCATE TWO MILLION FIVE HUNDRED THOUSAND DOLLARS TO
15 THE COLORADO FIRST PROGRAM AND SHALL ALLOCATE THE REMAINDER
16 TO THE OTHER ECONOMIC DEVELOPMENT PROGRAMS THAT THE OFFICE
17 ADMINISTERS IN THE SAME PROPORTION IN WHICH ALL OTHER MONEYS
18 APPROPRIATED TO THE OFFICE ARE ALLOCATED IN THE APPLICABLE FISCAL
19 YEAR; EXCEPT THAT, THE DIRECTOR OF THE OFFICE, IN HIS OR HER
20 DISCRETION, MAY ALTER THE PROPORTION OF SUCH ALLOCATION TO
21 ECONOMIC DEVELOPMENT PROGRAMS AS DEEMED NECESSARY BY THE
22 DIRECTOR.

23 (4) THE MONEYS APPROPRIATED TO THE FUND PURSUANT TO
24 SUBSECTION (1) OF THIS SECTION AND TO THE COLORADO OFFICE OF
25 ECONOMIC DEVELOPMENT PURSUANT TO SUBSECTION (3) OF THIS SECTION
26 SHALL SUPPLEMENT AND NOT SUPPLANT ANY OTHER MONEYS
27 APPROPRIATED TO THE OFFICE FOR THE APPLICABLE FISCAL YEARS.

1 **SECTION 3. Act subject to petition - effective date.** (1) Except
2 as otherwise provided in subsection (2) of this section, this act takes
3 effect at 12:01 a.m. on the day following the expiration of the ninety-day
4 period after final adjournment of the general assembly (August 8, 2012,
5 if adjournment sine die is on May 9, 2012); except that, if a referendum
6 petition is filed pursuant to section 1 (3) of article V of the state
7 constitution against this act or an item, section, or part of this act within
8 such period, then the act, item, section, or part will not take effect unless
9 approved by the people at the general election to be held in November
10 2012 and, in such case, will take effect on the date of the official
11 declaration of the vote thereon by the governor.

12 (2) This act takes effect only if House Bill 12-1251 or House Bill
13 12-1260 becomes law and takes effect either upon the applicable effective
14 date of this act, House Bill 12-1251, or House Bill 12-1260, whichever
15 is later.