

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 10-0805.01 Richard Sweetman

SENATE BILL 10-149

SENATE SPONSORSHIP

Tapia, Keller, White

HOUSE SPONSORSHIP

Ferrandino, Pommer, Lambert

Senate Committees
Appropriations

House Committees
Appropriations

A BILL FOR AN ACT

101 CONCERNING ADVANCEMENTS TO COUNTIES FROM THE COUNTY TAX
102 BASE RELIEF FUND.

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 clarifies the formula by which advancements are made to counties from the county tax base relief fund (fund) in any year in which appropriations to the fund are insufficient to cover all advancements. For the 2009-10, 2010-11, and 2011-12 fiscal years, the bill limits advancements from the fund to those advancements that may be made as

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.

HOUSE
2nd Reading Unam ended
March 17, 2010

SENATE
3rd Reading Unam ended
February 24, 2010

SENATE
2nd Reading Unam ended
February 19, 2010

tier 1 advancements.

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

2 **SECTION 1.** 26-1-126 (2.1) (b) and (4) (a), Colorado Revised
3 Statutes, are amended, and the said 26-1-126 is further amended BY THE
4 ADDITION OF A NEW SUBSECTION, to read:

5 **26-1-126. County contingency fund - county tax base relief**
6 **fund - creation - repeal.** (2.1) (b) For the fiscal year beginning July 1,
7 2008, and for each fiscal year thereafter, a county's qualification for an
8 advancement from the county tax base relief fund during the fiscal year
9 shall be based upon a three-tiered system whereby a county may qualify
10 for a distribution of moneys from one or more tiers. FOR ANY FISCAL
11 YEAR IN WHICH APPROPRIATIONS TO THE COUNTY TAX BASE RELIEF FUND
12 ARE INSUFFICIENT TO PROVIDE ADVANCEMENTS FROM EACH TIER AS
13 DESCRIBED IN SUBSECTIONS (3) AND (4) OF THIS SECTION:

14 (I) ANY MONEYS APPROPRIATED TO THE COUNTY TAX BASE RELIEF
15 FUND SHALL FIRST BE USED TO PROVIDE ADVANCEMENTS FROM TIER 1;

16 (II) IF SUFFICIENT MONEYS ARE APPROPRIATED TO PROVIDE ALL
17 ADVANCEMENTS FROM TIER 1, THE REMAINING MONEYS SHALL BE USED TO
18 PROVIDE ADVANCEMENTS FROM TIER 2; AND

19 (III) IF SUFFICIENT MONEYS ARE APPROPRIATED TO PROVIDE ALL
20 ADVANCEMENTS FROM TIER 1 AND TIER 2, THE REMAINING MONEYS SHALL
21 BE USED TO PROVIDE ADVANCEMENTS FROM TIER 3.

22 (4) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF SUBSECTION
23 (2.1) OF THIS SECTION, in the event appropriations are insufficient to cover
24 advancements FROM ONE OR MORE TIERS AS provided for in this section,
25 ~~at~~ THE advancements FROM A TIER FROM WHICH APPROPRIATIONS ARE

1 INSUFFICIENT TO COVER ALL ADVANCEMENTS FROM THAT TIER shall be
2 prorated on the basis of total claims submitted in proportion to ~~funds~~
3 MONEYS available. As ~~funds~~ MONEYS are advanced, any adjustments
4 shall be made from subsequent ~~monthly~~ payments for this purpose.

5 (6) (a) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (2) OR
6 (3) OF THIS SECTION TO THE CONTRARY, FOR THE 2009-10, 2010-11, AND
7 2011-12 FISCAL YEARS, A COUNTY'S QUALIFICATION FOR AN
8 ADVANCEMENT FROM THE COUNTY TAX BASE RELIEF FUND SHALL BE
9 LIMITED TO THE AMOUNT, IF ANY, THAT THE COUNTY IS QUALIFIED TO
10 RECEIVE FROM TIER 1, AS DESCRIBED IN PARAGRAPH (a) OF SUBSECTION
11 (3) OF THIS SECTION.

12 (b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JULY 1, 2012.

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, and safety.