

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 11-0645.01 Esther van Mourik

SENATE BILL 11-160

SENATE SPONSORSHIP

Steadman, Hodge, Lambert

HOUSE SPONSORSHIP

Gerou, Becker, Ferrandino

Senate Committees
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING A CLARIFICATION REGARDING THE AMOUNT OF**
102 **PERFORMANCE-BASED INCENTIVES AVAILABLE FOR ISSUANCE BY**
103 **THE COLORADO OFFICE OF FILM, TELEVISION, AND MEDIA.**

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>.)

2010-11 budget balancing bill. The bill clarifies that the Colorado office of film, television, and media may issue performance-based incentives totaling the amount appropriated to the creative industries division (division) to be used for incentives and any

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.

SENATE
3rd Reading Unamended
February 14, 2011

SENATE
2nd Reading Unamended
February 11, 2011

moneys that were not expended or encumbered from previous fiscal years that were also appropriated to the division to be used for incentives. Current law has an ambiguity regarding the moneys that were not expended from appropriations in previous fiscal years.

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

2 **SECTION 1.** 24-48.5-311 (6), Colorado Revised Statutes, is
3 amended to read:

4 **24-48.5-311. Film, television, and media - performance-based**
5 **incentive for film production in Colorado - Colorado office of film,**
6 **television, and media operational account cash fund - creation -**
7 **repeal.** (6) The total amount of performance-based incentives that the
8 office issues pursuant to this section in any fiscal year shall not exceed the
9 amount appropriated to the division to be used for the purposes of this
10 section in the applicable fiscal year AND ANY MONEYS NOT EXPENDED OR
11 ENCUMBERED FROM PREVIOUS FISCAL YEARS THAT WERE APPROPRIATED
12 TO THE DIVISION TO BE USED FOR THE PURPOSES OF THIS SECTION. If the
13 office receives applications for incentives that exceed the amount
14 appropriated by the general assembly for the fiscal year AND THE AMOUNT
15 NOT EXPENDED OR ENCUMBERED FROM PREVIOUS FISCAL YEARS, the office
16 shall issue incentives to production companies in the order in which the
17 commission received applications until the TOTAL amount ~~appropriated~~
18 has been expended.

19 **SECTION 2. Applicability.** This act shall apply to
20 performance-based incentives issued on or after the effective date of this
21 act.

22 **SECTION 3. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.