

**NOTE: This bill has been prepared for the signature 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.**

# An Act

SENATE BILL 11-218

BY SENATOR(S) Hodge, Steadman, Lambert;  
also REPRESENTATIVE(S) Ferrandino, Becker, Gerou, Hamner, Holbert,  
Liston, Summers.

CONCERNING THE TRANSFER OF MONEYS FROM CERTAIN CASH FUNDS TO THE  
STATE EDUCATION FUND.

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

**SECTION 1.** Part 1 of article 2 of title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**22-2-121.5. National academic contest fund - balance of moneys - transfer.** ON JUNE 30, 2011, THE STATE TREASURER SHALL TRANSFER THE BALANCE OF MONEYS IN THE NATIONAL ACADEMIC CONTEST FUND, AS SAID FUND EXISTED PRIOR TO AUGUST 7, 2006, TO THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

**SECTION 2.** 22-2-127 (6), Colorado Revised Statutes, is amended to read:

**22-2-127. Financial literacy - resource bank - technical assistance.** (6) (a) The department is authorized to accept and expend any

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

gifts, grants, or donations that may be available from any private or public sources for the implementation of this section. All private and public funds received through gifts, grants, or donations pursuant to this subsection (6) shall be transmitted to the state treasurer, who shall credit the same to the financial literacy cash fund, which fund is hereby created and referred to in this subsection (6) as the "fund". The moneys in the fund shall be subject to annual appropriation by the general assembly for the direct and indirect costs associated with the implementation of this section. Any moneys in the fund not expended for the purposes of this section may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund. EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (6), any unexpended and unencumbered moneys remaining in the fund at the end of a fiscal year shall remain in the fund and shall not be credited or transferred to the general fund or another fund.

(b) ON JUNE 30, 2011, THE STATE TREASURER SHALL TRANSFER THE BALANCE OF MONEYS IN THE FUND TO THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

**SECTION 3.** 22-7-708, Colorado Revised Statutes, is amended to read:

**22-7-708. Teacher development fund - creation.** (1) There is hereby created in the state treasury the teacher development fund referred to in this section as the "fund", for payment of teacher development grants awarded pursuant to section 22-7-704. The fund shall consist of such moneys as may be appropriated thereto by the general assembly and such moneys as may be credited thereto pursuant to section 22-7-704 (4). Moneys in the fund shall be subject to annual appropriation by the general assembly for the purposes specified in this part 7. The department may expend up to three percent of the moneys annually appropriated to the fund to offset the documented costs incurred in implementing the grant program. All interest derived from the deposit and investment of moneys in the fund shall be credited to the fund. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2) OF THIS SECTION, at the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund.

(2) (a) ~~Notwithstanding any provision of this section to the contrary,~~

On March 5, 2003, the state treasurer shall transfer the balance of moneys in the fund to the general fund.

(b) ON JUNE 30, 2011, THE STATE TREASURER SHALL TRANSFER THE BALANCE OF MONEYS IN THE FUND TO THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

**SECTION 4.** 22-43.7-201 (1), Colorado Revised Statutes, is amended to read:

**22-43.7-201. Full-day kindergarten facility capital construction fund - creation - definitions.** (1) (a) There is hereby established in the state treasury the full-day kindergarten facility capital construction fund, referred to in this part 2 as the "fund". The fund shall consist of any moneys annually appropriated thereto by the general assembly for the purposes of this part 2. All interest and income earned on the deposit of moneys in the fund shall be credited to the fund. EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (1), any unexpended and unencumbered moneys remaining in the fund at the end of a budget year shall remain in the fund and shall not be credited or transferred to the general fund or any other fund.

(b) ON JUNE 30, 2011, THE STATE TREASURER SHALL TRANSFER THE BALANCE OF MONEYS IN THE FUND TO THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

**SECTION 5.** 22-81-206, Colorado Revised Statutes, is amended to read:

**22-81-206. Science and technology education fund - creation.** (1) There is hereby created in the state treasury the science and technology education fund, referred to in this section as the "fund", for payment of science and technology education center grants awarded pursuant to section 22-81-203. The fund shall consist of such moneys as may be appropriated thereto by the general assembly and such moneys as may be credited thereto pursuant to section 22-81-205 (2). Moneys in the fund shall be subject to annual appropriation by the general assembly for the purposes specified in this part 2. The department may expend up to two percent of the moneys annually appropriated to the fund to offset the costs incurred in implementing the grant program. All interest derived from the deposit and

investment of moneys in the fund shall be credited to the fund. EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2) OF THIS SECTION, at the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund.

(2) (a) ~~Notwithstanding the provisions of subsection (1) of this section,~~ On March 5, 2003, the state treasurer shall transfer the balance of moneys in the fund to the state education fund created in section 17 (4) of article IX of the state constitution.

(b) ON JUNE 30, 2011, THE STATE TREASURER SHALL TRANSFER THE BALANCE OF MONEYS IN THE FUND TO THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

**SECTION 6.** Title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

**ARTICLE 88.1**  
**Reading Assistance Grant Program Fund**

**22-88.1-101. Reading assistance grant program fund - balance of moneys - transfer.** ON JUNE 30, 2011, THE STATE TREASURER SHALL TRANSFER THE BALANCE OF MONEYS IN THE READING ASSISTANCE GRANT PROGRAM FUND, AS SAID FUND EXISTED PRIOR TO JULY 1, 2010, TO THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

**SECTION 7. Safety clause.** The general assembly hereby finds,

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

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Frank McNulty  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO