

**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.**

# An Act

SENATE BILL 21-243

BY SENATOR(S) Moreno, Bridges, Buckner, Fields, Ginal, Gonzales, Hansen, Jaquez Lewis, Pettersen, Story, Winter, Garcia;  
also REPRESENTATIVE(S) McCluskie, Bird, Caraveo, Cutter, Duran, Esgar, Exum, Gonzales-Gutierrez, Herod, Lontine, McCormick, Michaelson Jenet, Mullica, Ricks, Roberts, Sirota, Titone, Young.

CONCERNING ANNUAL APPROPRIATIONS TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

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

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

(a) Due to the COVID-19 pandemic that spread to Colorado in February of 2020, the state of Colorado and local public health agencies and other public institutions have faced an unprecedented amount of measures required to prevent and address the spread of COVID-19, including testing, contact tracing, isolation and quarantine, public communications, issuance and enforcement of health orders, expansions to health system capacity like alternative care facilities, and, in recent months, a massive nationwide mobilization around vaccinations;

*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.*

(b) In March 2021, Congress enacted the federal "American Rescue Plan Act of 2021" (ARPA), Pub.L. 117-2, to provide emergency assistance to state, local, and tribal governments. Under ARPA, the state of Colorado received \$3,828,761,789.90 in coronavirus state fiscal recovery funds.

(c) The assistance provided to the state under ARPA will be deposited into several cash funds, including the economic recovery and relief cash fund created in Senate Bill 21-291;

(d) The federal department of the treasury has issued guidance on states' use of the assistance provided under ARPA, indicating that the money provided to the states may be used "to meet and address these emergent public health needs, including through measures to counter the spread of COVID-19, through the provision of care for those impacted by the virus, and through programs or services that address disparities in public health that have been exacerbated by the pandemic."; and

(e) It is the intent of the general assembly that the appropriations in this act comply with the guidelines set forth by the federal department of the treasury because they are intended to provide funding for administration and support, research, outreach, laboratory services, and emergency preparedness and disaster response activities as well as to support Colorado's 53 local public health agencies.

**SECTION 2.** In Colorado Revised Statutes, **add** 25-1-132 as follows:

**25-1-132. Two-year appropriation to the department - repeal.**

(1) FOR THE 2022-23 AND 2023-24 STATE FISCAL YEARS, THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE TEN MILLION DOLLARS PER FISCAL YEAR FROM THE GENERAL FUND TO THE DEPARTMENT, FOR DISTRIBUTION TO LOCAL PUBLIC HEALTH AGENCIES.

(2) FOR THE 2022-23 AND 2023-24 STATE FISCAL YEARS, THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE ELEVEN MILLION NINETY THOUSAND ONE HUNDRED FORTY NINE DOLLARS PER FISCAL YEAR FROM THE GENERAL FUND TO THE DEPARTMENT, FOR USE BY THE DIVISION OF DISEASE CONTROL AND PUBLIC HEALTH RESPONSE FOR ADMINISTRATION AND SUPPORT.

(3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

**SECTION 3. Appropriation.** (1) For the 2021-22 state fiscal year, \$21,090,149 is appropriated to the department of public health and environment. This appropriation is from the economic recovery and relief cash fund created in section 24-75-228 (2)(a), C.R.S., and of money the state received from the federal coronavirus state fiscal recovery fund. To implement this act, the department may use this appropriation as follows:

(a) \$10,000,000 for use by administration and support for distributions to local public health agencies; and

(b) \$11,090,149 for use by the division of disease control and public health response for administration and support, which is based on the assumption that the division will require an additional 121.4 FTE.

(2) For the 2021-22 state fiscal year, \$14,500,000 is appropriated from the general fund to the economic recovery and relief cash fund.

**SECTION 4. Effective date.** This act takes effect upon passage; except that sections 1 and 3 of this act take effect only if Senate Bill 21-291 becomes law, and, in which case, take effect either upon the effective date of this act or one day after the passage of Senate Bill 21-291, whichever is later.

**SECTION 5. Safety clause.** The general assembly hereby finds,

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

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Leroy M. Garcia  
PRESIDENT OF  
THE SENATE

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Alec Garnett  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

\_\_\_\_\_  
Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED \_\_\_\_\_  
(Date and Time)

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Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO