

First Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 13-0925.01 Jane Ritter x4342

SENATE BILL 13-276

SENATE SPONSORSHIP

Steadman,

HOUSE SPONSORSHIP

Gerou,

Senate Committees

Finance
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE DISABILITY INVESTIGATIONAL AND PILOT SUPPORT**
102 **FUND, AND, IN CONNECTION THEREWITH, MAKING AND**
103 **REDUCING AN APPROPRIATION.**

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 moves the coordinated care for people with disabilities fund and renames it the disability investigational and pilot support fund (fund). The fund must be used to award grants and loans to projects or programs that study or pilot new and innovative ideas, which will lead to

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.

an improved quality of life or increased independence for people with disabilities. The disability-benefit support contract committee will accept and review proposals for use of the moneys in the fund and award grants and loans accordingly.

The bill makes conforming amendments.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25.5-6-111, **repeal**
3 **(1), (2), (3), (5), (6), and (7).**

4 **SECTION 2.** In Colorado Revised Statutes, 25.5-6-111, **amend**
5 **(4) as follows:**

6 **25.5-6-111. Pilot program for coordinated care for people with**
7 **a disability - fund - report - rules - repeal.** (4) (a) There is hereby
8 **created in the state treasury the coordinated care for people with**
9 **disabilities fund, referred to in this section as the "fund", that shall consist**
10 **of moneys transferred to the fund pursuant to section 25.5-5-308 (8), any**
11 **moneys that may be appropriated to the fund by the general assembly, and**
12 **any gifts, grants, or donations received by the state department for the**
13 **purpose of implementing this section. The moneys in the fund shall be**
14 **subject to annual appropriation by the general assembly for the direct and**
15 **indirect costs associated with the implementation of the pilot program.**
16 **Any moneys in the fund not expended for the purpose of this section may**
17 **be invested by the state treasurer as provided by law. All interest and**
18 **income derived from the investment and deposit of moneys in the fund**
19 **shall be credited to the fund. Any unexpended and unencumbered moneys**
20 **remaining in the fund at the end of a fiscal year AS OF JULY 1, 2013, shall**
21 **remain in the fund and shall not be credited or BE transferred to the**
22 **general fund or another fund.** DISABILITY INVESTIGATIONAL AND PILOT
23 **SUPPORT CREATED IN SECTION 24-30-2205.5, C.R.S. If this section is**

1 repealed, prior to its repeal, all unexpended and unencumbered moneys
2 remaining in the fund shall be transferred to the general fund.

3 (b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2014.

4 **SECTION 3.** In Colorado Revised Statutes, **add** 24-30-2205.5 as
5 follows:

6 **24-30-2205.5. Disability investigational and pilot support fund.**

7 THERE IS HEREBY CREATED IN THE STATE TREASURY THE DISABILITY
8 INVESTIGATIONAL AND PILOT SUPPORT FUND, REFERRED TO IN THIS
9 SECTION AS THE "FUND", THAT SHALL CONSIST OF MONEYS TRANSFERRED
10 TO THE FUND PURSUANT TO SECTION 25.5-5-308 (8), C.R.S., ANY MONEYS
11 THAT MAY BE APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY,
12 AND ANY GIFTS, GRANTS, OR DONATIONS RECEIVED BY THE DEPARTMENT
13 OF PERSONNEL FOR THE PURPOSE OF IMPLEMENTING THIS SECTION. THE
14 MONEYS IN THE FUND ARE SUBJECT TO ANNUAL APPROPRIATION BY THE
15 GENERAL ASSEMBLY FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED
16 WITH THE IMPLEMENTATION OF THE PILOT PROGRAM. ANY MONEYS IN THE
17 FUND NOT EXPENDED FOR THE PURPOSE OF THIS SECTION MAY BE
18 INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST
19 AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS
20 IN THE FUND MUST BE CREDITED TO THE FUND. ANY UNEXPENDED AND
21 UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A
22 FISCAL YEAR MUST REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR
23 TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND. IF THIS SECTION
24 IS REPEALED, PRIOR TO ITS REPEAL, ALL UNEXPENDED AND
25 UNENCUMBERED MONEYS REMAINING IN THE FUND MUST BE TRANSFERRED
26 TO THE GENERAL FUND.

27 **SECTION 4.** In Colorado Revised Statutes, 24-30-2203, **amend**

1 (1) introductory portion, (1) (a), and (1) (f); and **add** (1) (h), (1) (i), and
2 (4.5) as follows:

3 **24-30-2203. Disability-benefit support contract committee.**

4 (1) The ~~disabled-benefit~~ DISABILITY-BENEFIT support contract committee
5 is hereby created within the department of personnel. The committee
6 consists of ~~nine~~ THIRTEEN members appointed by the governor as follows:

7 (a) ~~Three~~ FIVE members who are ~~disabled~~ PERSONS WITH
8 DISABILITIES and currently receiving disability benefits or have received
9 application assistance;

10 (f) One member who is an expert in nonprofit management; ~~and~~

11 (h) ONE MEMBER WHO HAS EXPERIENCE AND EXPERTISE IN
12 BUSINESS; AND

13 (i) ONE MEMBER WHO HAS EXPERIENCE WITH GRANT PROGRAMS.

14 (4.5) THE COMMITTEE SHALL IMPLEMENT SECTION 24-30-2204.5
15 USING THE DISABILITY INVESTIGATIONAL AND PILOT SUPPORT FUND
16 CREATED IN SECTION 24-30-2205.5.

17 **SECTION 5.** In Colorado Revised Statutes, **add** 24-30-2204.5 as
18 follows:

19 **24-30-2204.5. Program to investigate, fund, and pilot projects**

20 **or programs to benefit persons with disabilities.** (1) THE COMMITTEE
21 SHALL ACCEPT AND REVIEW PROPOSALS TO FUND PROJECTS OR PROGRAMS
22 THAT STUDY OR PILOT NEW AND INNOVATIVE IDEAS THAT WILL LEAD TO
23 AN IMPROVED QUALITY OF LIFE OR INCREASED INDEPENDENCE FOR
24 PERSONS WITH DISABILITIES. PROPOSALS MAY BE ACCEPTED THROUGHOUT
25 THE YEAR, AND GRANTS OR LOANS MAY BE MADE BY THE COMMITTEE AT
26 ITS REGULAR MEETINGS. THE DISABILITY INVESTIGATIONAL AND PILOT
27 SUPPORT FUND CREATED IN SECTION 24-30-2205.5 SHALL BE THE SOLE

1 SOURCE TO FUND ANY GRANTS OR LOANS MADE PURSUANT TO THIS
2 SECTION.

3 (2) TO BE ELIGIBLE FOR FUNDING PURSUANT TO THIS SECTION, A
4 PROJECT OR PROGRAM MUST:

5 (a) (I) DEMONSTRATE A CAPABILITY TO BE SELF-SUSTAINING OR
6 OTHERWISE BE ABLE TO DEVELOP LONG-TERM INDEPENDENT FUNDING;
7 AND

8 (II) HAVE A GOVERNING BODY OR BOARD THAT IS COMPOSED OF
9 PERSONS WITH A DEMONSTRATED COMMITMENT TO IMPROVING THE LIVES
10 OF PERSONS WITH DISABILITIES AND HAVE A MAJORITY BE PERSONS WITH
11 DISABILITIES OR FAMILY MEMBERS OF PERSONS WITH DISABILITIES; OR

12 (b) BE THE LICENSE PLATE AUCTION GROUP ESTABLISHED IN
13 SECTION 42-1-403, C.R.S.

14 **SECTION 6.** In Colorado Revised Statutes, 24-30-2202, **amend**
15 (1) as follows:

16 **24-30-2202. Definitions.** As used in this part 22, unless the
17 context otherwise requires:

18 (1) "Committee" means the ~~disabled-benefit~~ DISABILITY-BENEFIT
19 support contract committee created in section 24-30-2203.

20 **SECTION 7.** In Colorado Revised Statutes, **amend 24-30-2206**
21 as follows:

22 **24-30-2206. Implementation.** (1) (a) EXCEPT AS PROVIDED FOR
23 IN PARAGRAPH (b) OF THIS SUBSECTION (1), the general assembly does not
24 intend to require the department of personnel to expend moneys to
25 implement this part 22. Notwithstanding any other section of this part 22,
26 the department of personnel and the committee need not implement this
27 part 22 until the disability-benefit support fund contains enough money

1 to implement this part 22.

2 (b) THE DEPARTMENT OF PERSONNEL SHALL BEGIN
3 IMPLEMENTATION OF SECTION 24-30-2204.5 AT SUCH TIME AS THE
4 DISABILITY INVESTIGATIONAL AND PILOT SUPPORT FUND CONTAINS
5 SUFFICIENT FUNDS FOR IMPLEMENTATION, AS DETERMINED BY THE
6 COMMITTEE.

7 **SECTION 8.** In Colorado Revised Statutes, 25.5-5-308, **amend**
8 (8) (a) (I) and (8) (c) (II); **repeal** (8) (b); and **add** (8) (b.5) as follows:

9 **25.5-5-308. Breast and cervical cancer prevention and**
10 **treatment program - creation - legislative declaration - definitions -**
11 **funds - repeal.** (8) (a) (I) There is hereby created in the state treasury the
12 breast and cervical cancer prevention and treatment fund, referred to in
13 this subsection (8) as the "fund". The fund shall consist of any moneys
14 credited thereto pursuant to section 24-22-115 (1), C.R.S., any gifts,
15 grants, and donations, any moneys appropriated thereto by the general
16 assembly, and any moneys transferred from the eligibility expansion
17 account pursuant to subparagraph (III) of paragraph (c) of this subsection
18 (8). Except as provided for in ~~paragraph (b)~~ PARAGRAPH (b.5) of this
19 subsection (8), all moneys credited to the fund and all interest and income
20 earned on the moneys in the fund shall remain in the fund for the
21 purposes set forth in this section. Any unexpended and unencumbered
22 moneys remaining in the fund at the end of a fiscal year shall remain in
23 the fund and shall not be credited or transferred to the general fund or
24 another fund. The state department is encouraged to secure private gifts,
25 grants, and donations to fund the state costs of the breast and cervical
26 cancer prevention and treatment program.

27 (b) ~~Until section 25.5-6-111 is repealed, the state treasurer shall~~

1 ~~transfer any interest or income earned on moneys in the fund to the~~
2 ~~coordinated care for people with disabilities fund, created in section~~
3 ~~25.5-6-111(4).~~

4 (b.5) UNTIL SECTION 24-30-2204.5, C.R.S., IS REPEALED, THE
5 STATE TREASURER SHALL TRANSFER ANY INTEREST OR INCOME EARNED ON
6 MONEYS IN THE FUND TO THE DISABILITY INVESTIGATIONAL AND PILOT
7 SUPPORT FUND, CREATED IN SECTION 24-30-2205.5, C.R.S.

8 (c) (II) Notwithstanding ~~paragraph (b)~~ PARAGRAPH (b.5) of this
9 subsection (8), all moneys credited to the account and all interest and
10 income earned on the moneys in the account shall remain in the account
11 for the purposes set forth in this paragraph (c) and shall not be credited
12 or transferred to the general fund or any other fund except as provided in
13 subparagraph (III) of this paragraph (c). The state department is
14 encouraged to secure private gifts, grants, and donations to help fund the
15 costs to expand the eligibility criteria for participation in the breast and
16 cervical cancer prevention and treatment program as described in this
17 paragraph (c).

18 **SECTION 9.** In Colorado Revised Statutes, **repeal** 25.5-5-407.7.

19 **SECTION 10.** In Colorado Revised Statutes, **repeal** 25.5-6-112.

20 **SECTION 11. Appropriation - adjustments to 2013 long bill.**

21 (1) For the implementation of this act, appropriations made in the annual
22 general appropriation act to the department of health care policy and
23 financing for the fiscal year beginning July 1, 2013, are adjusted as
24 follows:

25 (a) The appropriation for the executive's director's office, is
26 decreased by \$65,392 and 1.0 FTE. Of said sum, \$32,696 is from the
27 coordinated care for people with disabilities fund created in Section

1 25.5-6-111 (4), Colorado Revised Statutes, and \$32,696 is from federal
2 funds.

3 (b) The appropriation for the executive director's office, indirect
4 cost recoveries, is increased by \$1,743. Of said sum, \$1,402 is from the
5 hospital provider fee cash fund created in section 25.5-4-402.3 (4),
6 Colorado Revised Statutes, \$202 is from the children's basic health plan
7 trust created in section 25.5-8-105 (1), Colorado Revised Statutes, \$48 is
8 from the medical nursing facility cash fund created in section 25.5-6-203
9 (2) (a), Colorado Revised Statutes, \$45 is from the primary care fund
10 created in section 24-22-117 (2) (b) (I), Colorado Revised Statutes, \$26
11 is from the Colorado autism treatment fund created in section 25.5-6-805
12 (1), Colorado Revised Statutes, and \$20 is from the breast and cervical
13 cancer prevention and treatment fund created in section 25.5-5-308 (8) (a)
14 (I), Colorado Revised Statutes.

15 (c) The appropriation for medical services premiums is decreased
16 by \$100,000. Of said sum, \$50,000 is from the coordinated care for
17 people with disabilities fund created in Section 25.5-6-111 (4), Colorado
18 Revised Statutes, and \$50,000 is from federal funds.

19 **SECTION 12. Appropriation.** In addition to any other
20 appropriation, there is hereby appropriated, out of any moneys in the
21 disability investigational and pilot support fund created in section
22 24-30-2205.5, Colorado Revised Statutes, not otherwise appropriated, to
23 the department of personnel, for the fiscal year beginning July 1, 2013,
24 the sum of \$1,173,976, or so much thereof as may be necessary, for
25 allocation to the state purchasing office for the dips procurement line item
26 related to the implementation of this act.

27 **SECTION 13. 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.