



Colorado  
Legislative  
Council  
Staff

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**MEMORANDUM**

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December 13, 2004

**TO:** Representative David Schultheis

**FROM:** Jason Schrock, Research Associate, 303-866-4720

**SUBJECT:** Fund Transfers

This memorandum responds to your request for a listing of all the state funds from which the General Assembly transferred money to supplement the General Fund from FY 2001-02 to FY 2004-05. Table 1 includes the fund name of each of the 46 funds, the statutory citation of each fund, and the net amount transferred from each fund by fiscal year. Between FY 2001-02 and FY 2004-05, the net transfers to the General Fund totaled \$1.2 billion. The table also includes the fund balance of each fund as of October 31, 2004, the most up-to-date fund balance information available from the State Controller's Office.

It is important to note that the amounts in the table represent the *net amount transferred* for each fiscal year. In some cases, money was transferred from certain funds to the General Fund and then was repaid in full the same fiscal year or in a subsequent fiscal year. For example, \$211.5 million was transferred from the Major Medical Fund to the General Fund in FY 2001-02. This amount was transferred back from the General Fund to the Major Medical Fund in FY 2002-03. However, \$225 million was also transferred from the Major Medical Fund to the General Fund in FY 2002-03, resulting in a net transfer of \$13.5 million for that fiscal year.

**Table 1: Net Cash Fund Transfers to the General Fund  
FY 2001-02 through FY 2004-05**

Cash Fund	Statutory Citation	Net Transfer to the General Fund					Fund Balance as of 10/31/2004
		FY 2001-02	FY 2002-03	FY 2003-04	FY 2004-05	Total	
Advanced Technology Fund	23-1-106.5 (9) (a)	\$0	\$1,063,124	\$174,842	\$0	\$1,237,966	\$530,382
Alcohol and Drug Driving Safety Program Fund	42-4-1301.3 (4) (a)	0	1,000,000	0	0	1,000,000	435,600
Auto Dealers License Fund	12-6-123 (1)	1,100,000	0	0	0	1,100,000	394,825
Capital Account of the Species Conservation Trust Fund	24-333-111 (2) (a)	3,000,000	1,000,000	0	0	4,000,000	8,564,508
Capital Construction Fund	24-75-302 (1) (a)	298,363,311	21,337,019	0	132,982	319,833,312	43,723,271
Children's Basic Health Plan Trust Fund	26-19-105 (1)	900,000	2,001,125	0	0	2,901,125	24,454,852
Collection Agency Cash Fund	12-14-136 (1) (a)	462,000	120,000	0	0	582,000	181,001
Colorado Children's Trust Fund	19-3.5-106 (1)	0	980,396	0	0	980,396	365,766
Colorado Heritage Communities Fund	24-32-3207 (1)	0	0	0	74,236	74,236	94,977
Colorado State Veterans Trust Fund	28-5-709	0	2,280,900	0	0	2,280,900	1,084,819
Controlled Maintenance Trust Fund	24-75-302.5 (2) (a)	253,400,000	0	1,985,213	0	255,385,213	7,638
Disabled Telephone Users Fund	40-17-104 (1)	500,000	1,132,416	0	0	1,632,416	1,028,637
Law Enforcement Assistance Fund	43-4-401	0	357,000	0	0	357,000	356,494
Department of State Cash Fund	24-21-104 (3) (b)	1,200,000	2,700,000	0	0	3,900,000	7,271,665
Educator Licensure Cash Fund	22-60.5-112 (1)	0	143,535	0	0	143,535	59,999
Emergency Response Cash Fund	34-32-122 (3) (a) (I)	0	0	486,613	0	486,613	63,210
Employment Support Fund	8-77-109 (1)	15,000,000	11,400,000	0	0	26,400,000	9,901,736
Environmental Leadership Pollution Prevention Revolving Fund	25-6.7-109 (2)	514,092	0	0	0	514,092	4,394
Family Support Registry Fund	26-13-115.5 (1)	346,879	0	0	0	346,879	1,000,000
Fitzsimons Trust Fund	23-20-136 (3) (a)	18,400,000	0	0	0	18,400,000	616,198

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Cash Fund	Statutory Citation	Net Transfer to the General Fund					Fund Balance as of 10/31/2004
		FY 2001-02	FY 2002-03	FY 2003-04	FY 2004-05	Total	
Hazardous Substance Response Fund	25-16-104.6 (1) (a)	30,000,000	0	0	0	30,000,000	6,156,890
Infant Immunization Fund	25-4-1708 (1)	0	0	240,000	0	240,000	79,396
Major Medical Insurance Fund	8-46-202 (1) (a)	211,481,539	13,518,461	(10,000,000)	0	215,000,000	17,495,610
Motor Carrier Fund, Public Utilities Commission	40-2-110.5	0	1,300,000	0	0	1,300,000	743,520
Off-Highway Vehicle Recreation Fund	33-14.5-106 (1)	0	0	700,000	0	700,000	2,562,414
Persistent Drunk Driver Cash Fund	42-3-130.5 (1), C.R.S.	500,000	0	0	0	500,000	693,429
Petroleum Storage Tank Fund	8-20.5-103 (1)	4,000,000	0	0	0	4,000,000	7,145,219
Publicly-Supported Libraries Fund, State Grants	24-90-407 (1)	0	12,875	0	0	12,875	0
Read-To-Achieve Cash Fund	22-7-506 (4) (a) (I)	1,900,000	1,440,621	0	0	3,340,621	8,690,936
Real Estate Recovery Fund	12-61-301 (1)	0	3,200,000	0	0	3,200,000	49,609
Severance Tax Trust Fund, Operational Account	39-29-109 (1) (a) (II)	20,200,000	6,877,397	4,600,000	0	31,677,397	24,738,036
State Rail Bank Fund	43-1-1309	500,000	0	0	0	500,000	543,937
Subsequent Injury Fund	8-46-101 (b) (I)	0	20,000,000	0	0	20,000,000	41,552,935
Supplier Database Cash Fund	24-102-205.5 (2)	0	300,000	0	0	300,000	30,793
Teacher Development Fund	22-7-708 (1)	0	392,880	0	0	392,880	908
Technology Learning Grant and Revolving Loan Program in the Department of Higher Education	Article 11.5 of Title 23	0	314,670	0	0	314,670	NA <sup>1</sup>
Tobacco Litigation Settlement Trust Fund	24-22-115.5	138,123,849	33,515,188	0	20,152,558	191,791,595	0.56
Tobacco Litigation Settlement Cash Fund	24-22-115	3,500,000	33,226,778	0	6,007,059	42,733,837	66,673,995

<sup>1</sup>Section 23-11.5-107, enacted by Senate Bill 03-198, provided for the repeal of this program and fund, effective April 4, 2003.

Table 1: Net Cash Fund Transfers to the General Fund FY 2001-02 through FY 2004-05							
Cash Fund	Statutory Citation	Net Transfer to the General Fund					Fund Balance as of 10/31/2004
		FY 2001-02	FY 2002-03	FY 2003-04	FY 2004-05	Total	
Trade Name Registration Fund	24-35-301 (3) (a)	400,000	0	0	0	400,000	(31,412) <sup>2</sup>
Unclaimed Property Trust Fund	38-13-116.5 (1) (a)	9,970,171	30,000,000	0	0	39,970,171	30,686,884
Uniform Consumer Credit Code Cash Fund	5-6-204 (1)	150,000	100,000	0	0	250,000	(192,116) <sup>3</sup>
Victims & Witnesses Assistance & Law Enforcement Fund	24-4.2-103 (1)	0	0	10,072	0	10,072	4,914,317
Vital Statistics Records Cash Fund	25-2-121 (b) (l)	0	763,680	0	0	763,680	176,450
Waste Tire Cleanup Fund	24-32-114	600,000	1,468,152	0	0	2,068,152	1,293,454
Workers' Compensation Cash Fund	8-44-112 (7) (a)	0	6,000,000	0	0	6,000,000	16,109,147
<b>Total</b>		<b>\$1,014,511,841</b>	<b>\$197,946,217</b>	<b>(\$1,803,260)</b>	<b>\$26,366,835</b>	<b>\$1,237,021,633</b>	<b>\$330,254,324</b>

Source: Legislative Council Staff, State Controller's Office, and State Treasurer's Office

<sup>2</sup> According to a spokesperson from the Department of Revenue, the Trade Name Registration Fund had a negative fund balance on October 31, 2004, due to an accounting error made by the department. The fund currently has a positive fund balance.

<sup>3</sup> According to a spokesperson from the Department of Law, the Uniform Consumer Credit Code Cash Fund had a negative fund balance on October 31, 2004, because most of the fund's revenue is received beginning in January of each year. To cover the shortfall of revenue for the first six months of each fiscal year, the department typically receives an advance from the Department of Treasury.