

MEMORANDUM

TO: Joint Budget Committee

FROM: Eric Kurtz, JBC Staff (3030-866-4952)

SUBJECT: Technical error in H.B. 10-1383

DATE: June 16, 2010

Among the provisions of H.B. 10-1383 (sponsored by the JBC) is an adjustment to appropriations in the Long Bill intended to refinance \$15.4 million General Fund for higher education need based grants with \$15.4 million from the CollegeInvest Scholarship Trust Fund. There is a technical error in the appropriation clause that makes the bill appear to reduce the \$15.4 million General Fund from the Colorado Commission on Higher Education, rather than from financial aid. The General Assembly did not appropriate \$15.4 million General Fund to the Colorado Commission on Higher Education. Staff recommends that the JBC correct the technical error through a supplemental bill in the 2011 session, and that the JBC send a letter to the executive informing them of the JBC's intent.

Specifically, staff recommends the following changes in small capitals to the appropriation clause:

SECTION Appropriation - adjustments to the 2010 long bill.

(1) In addition to any other appropriation, there is hereby appropriated, to the department of higher education, Colorado commission on higher education financial aid, for need-based grants, for the fiscal year beginning July 1, 2010, the sum of fifteen million four hundred thousand dollars (\$15,400,000) cash funds, or so much thereof as may be necessary, for the implementation of the need-based student financial assistance program established pursuant to section 23-3.3-102, Colorado Revised Statutes. Said sum shall be from the Colorado collegeinvest scholarship trust fund created in section 23-3.1-206.9 (2) (a), Colorado Revised Statutes, out of moneys transferred to the trust fund from the student loan guarantee fund created in section 23-3.1-107 (1) (a), Colorado Revised Statutes.

(2) For the implementation of this act, the general fund appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2010, for the department of higher education, Colorado commission on higher education FINANCIAL AID, FOR NEED-BASED GRANTS, shall be reduced by fifteen million four hundred thousand dollars (\$15,400,000).

Unless directed by the JBC otherwise, the General Fund overviews and Appropriations Report prepared by the JBC Staff will show the \$15.4 million as a reduction to need based grants.