

Second Regular Session  
Sixty-sixth General Assembly  
STATE OF COLORADO

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 08-0177.01 Richard Sweetman

**HOUSE BILL 08-1001**

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**HOUSE SPONSORSHIP**

**Riesberg, Jahn, and Primavera**

**SENATE SPONSORSHIP**

**Bacon, Romer, Shaffer, and Windels**

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**House Committees**

Finance  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE ADVANCEMENT OF BIOSCIENCE DISCOVERIES IN**  
102 **COLORADO, AND MAKING AN APPROPRIATION THEREFOR.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Eliminates in the bioscience discovery evaluation grant program ("program") provisions concerning federal agency small business innovation research programs, federal agency small business technology transfer programs, and biofuel research. Adds early-stage bioscience companies as possible recipients of program grants. Specifies which portion of moneys appropriated to the bioscience discovery evaluation cash fund shall be used to provide grants to offices of technology transfer

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.*

HOUSE  
3rd Reading Unamended  
February 27, 2008

HOUSE  
Amended 2nd Reading  
February 26, 2008

at research institutions and which portion of moneys shall be used to provide grants to early-stage bioscience companies.

Transfers moneys from the general fund portion of the limited gaming fund to the program.

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

2 **SECTION 1.** 24-48.5-108, Colorado Revised Statutes, is  
3 amended to read:

4 **24-48.5-108. Bioscience research - evaluation - grants - fund**  
5 **- repeal.** (1) **Legislative declaration.** (a) The general assembly finds  
6 that:

7 (I) Additional resources are needed to assist in improving and  
8 accelerating the evaluation process for bioscience research discoveries to  
9 determine the best disposition of these discoveries;

10 (II) The process of advancing bioscience research discoveries  
11 toward commercialization needs to be accelerated to support the  
12 development of new bioscience products and services in Colorado;

13 (III) The development of products and services from research  
14 discoveries that originate in ~~Colorado's research institutions~~ COLORADO  
15 will create new bioscience companies and additional primary jobs in  
16 Colorado; AND

17 (IV) THE STATE SHOULD DEDICATE RESOURCES TO SUPPORT  
18 PARTNERSHIP EFFORTS BETWEEN THE BIOSCIENCE INDUSTRY AND  
19 RESEARCH INSTITUTIONS TO BUILD INFRASTRUCTURE THAT SUPPORTS THE  
20 COMMERCIALIZATION OF THERAPEUTIC AND DIAGNOSTIC PRODUCTS,  
21 DEVICES, OR INSTRUMENTS TO IMPROVE HUMAN HEALTH; BIOSCIENCE  
22 TECHNOLOGIES THAT IMPROVE AGRICULTURE; AND BIOFUELS.

23 (a.3) ~~The general assembly further finds that biofuels such as~~

1 ~~ethanol and biodiesel can significantly reduce the state's dependence on~~  
2 ~~oil as well as have a less harmful impact on the environment than~~  
3 ~~petroleum-based fuels.~~

4 (a.5) The general assembly further finds that, to spur rural  
5 economic development and help new companies born out of research  
6 institutions to succeed, the state must dedicate resources ~~to complement~~  
7 ~~research efforts funded by federal agency small business innovation~~  
8 ~~research programs and small business technology transfer programs, as~~  
9 ~~codified at 15 U.S.C. sec. 638.~~ These resources THAT will increase the  
10 capacity of small companies to develop new technologies and business  
11 structures, thereby increasing product development and enhancing the  
12 economy of the state.

13 (b) The general assembly, therefore, declares that it is in the best  
14 interests of the state's economic growth to dedicate financial resources to  
15 facilitate the development of new bioscience research discoveries in  
16 Colorado and promote Colorado-based bioscience technologies.

17 (2) **Definitions.** As used in this section, unless the context  
18 otherwise requires:

19 (a) ~~"Biofuel research" means the use of microorganisms,~~  
20 ~~specialized proteins, or thermal processes to develop biologically based~~  
21 ~~fuel products from plant matter or other biological material, including~~  
22 ~~renewable agricultural sources, and the related processes that make~~  
23 ~~traditional manufacturing of energy cleaner and more efficient "BIOFUEL"~~  
24 MEANS A BIOLOGICALLY BASED FUEL PRODUCT DEVELOPED FROM PLANT  
25 MATTER OR OTHER BIOLOGICAL MATERIAL, INCLUDING RENEWABLE  
26 AGRICULTURAL SOURCES.

27 (a.3) "BIOFUEL RESEARCH" MEANS THE USE OF MICROORGANISMS,

1 SPECIALIZED PROTEINS, OR THERMAL PROCESSES TO DEVELOP BIOFUELS  
2 AND THE RELATED PROCESSES THAT MAKE TRADITIONAL MANUFACTURING  
3 OF ENERGY CLEANER AND MORE EFFICIENT.

4 (a.5) "BIOSCIENCE COMPANY" MEANS A COMPANY THAT IS  
5 LOCATED IN COLORADO AND PRODUCES OR DEVELOPS:

6 (I) THERAPEUTIC OR DIAGNOSTIC PRODUCTS, DEVICES, OR  
7 INSTRUMENTS TO IMPROVE HUMAN HEALTH;

8 (II) TECHNOLOGIES THAT RELY ON BIOSCIENCE RESEARCH TO  
9 IMPROVE AGRICULTURE; OR

10 (III) BIOFUELS.

11 (b) "Bioscience research" means the study of biological processes,  
12 organisms, devices, diagnostics, or systems with the objective of  
13 developing products that are intended to improve agriculture, the quality  
14 of human life, or the environment. "Bioscience research" includes, but  
15 is not limited to, biofuel research and life sciences research.

16 (c) "Director" means the director of the Colorado office of  
17 economic development.

18 (c.5) "EARLY-STAGE BIOSCIENCE COMPANY" MEANS A BIOSCIENCE  
19 COMPANY THAT:

20 (I) HAS RECEIVED LESS THAN FIVE MILLION DOLLARS FROM  
21 GRANTS AND THIRD-PARTY INVESTORS;

22 (II) EMPLOYS FEWER THAN TWENTY PERSONS; AND

23 (III) HAS ITS HEADQUARTERS LOCATED IN COLORADO.

24 (d) "Life sciences research" means basic, applied, or translational  
25 research that leads to the development of: ~~therapeutics, diagnostics, or~~  
26 ~~devices to improve human health or agriculture.~~

27 (I) THERAPEUTIC OR DIAGNOSTIC PRODUCTS, DEVICES, OR

1 INSTRUMENTS TO IMPROVE HUMAN HEALTH;

2 (II) TECHNOLOGIES THAT RELY ON BIOSCIENCE RESEARCH TO  
3 IMPROVE AGRICULTURE; OR

4 (III) BIOFUELS.

5 (e) "Office of technology transfer" means an office that is  
6 affiliated with a research institution and that is charged with the  
7 responsibility for technology transfer and that arranges for the sale or  
8 licensure of a bioscience research project to an outside entity, which is  
9 commonly a commercial enterprise.

10 (f) ~~"Principal investigator" means a single individual who is~~  
11 ~~designated by a research institution as the supervisor of a bioscience~~  
12 ~~research project.~~

13 (g) "Program" means the bioscience discovery evaluation grant  
14 program created in subsection (3) of this section.

15 (h) "Research institution" means an institution located and  
16 operating in Colorado that is a public or private, nonprofit institution of  
17 higher education, a nonprofit teaching hospital, or a private, nonprofit  
18 medical and research center.

19 (i) ~~"SBIR project" means a bioscience research project fully or~~  
20 ~~partially funded by grants received pursuant to a federal agency small~~  
21 ~~business innovation research program, as codified at 15 U.S.C. sec. 638.~~

22 (j) ~~"STTR project" means a bioscience research project fully or~~  
23 ~~partially funded by grants received pursuant to a federal agency small~~  
24 ~~business technology transfer program, as codified at 15 U.S.C. sec. 638.~~

25 (3) **Program.** (a) There is hereby created in the Colorado office  
26 of economic development the bioscience discovery evaluation grant  
27 program for the purpose of improving and expanding the evaluation

1 DEVELOPMENT of new bioscience discoveries at research institutions  
2 with the intent of accelerating the development of new products and  
3 services. The Colorado office of economic development shall administer  
4 the program. The director shall consult with a Colorado bioscience  
5 membership organization in the implementation of the program, including  
6 but not limited to the review of program grant applications and the  
7 accountability and evaluation of the grantees and the bioscience research  
8 projects.

9 (b) The program shall provide grants to offices of technology  
10 transfer, EARLY-STAGE BIOSCIENCE COMPANIES, AND OTHER ENTITIES,  
11 PURSUANT TO PARAGRAPH (b.7) OF THIS SUBSECTION (3), on a statewide  
12 basis. The grants shall be paid from moneys appropriated to the  
13 bioscience discovery evaluation cash fund created in subsection (5) of this  
14 section. The grants shall be provided in amounts of:

15 (I) No more than one hundred fifty thousand dollars for each  
16 research project that is ~~not an SBIR project or an STTR project~~  
17 DESCRIBED IN SUBPARAGRAPH (I) OF PARAGRAPH (b.5) OF THIS  
18 SUBSECTION (3); and

19 (II) No more than ~~one hundred~~ TWO HUNDRED FIFTY thousand  
20 dollars for each ~~SBIR project or STTR project~~ EARLY-STAGE BIOSCIENCE  
21 COMPANY THAT RECEIVES A GRANT DESCRIBED IN SUBPARAGRAPH (II) OF  
22 PARAGRAPH (b.5) OF THIS SUBSECTION (3). THE TOTAL SUM OF MONEYS  
23 AWARDED AS GRANTS FROM THE PROGRAM TO AN EARLY-STAGE  
24 BIOSCIENCE COMPANY SHALL NOT EXCEED TWO HUNDRED FIFTY  
25 THOUSAND DOLLARS.

26 (b.5) In providing grants to offices of technology transfer AND  
27 EARLY-STAGE BIOSCIENCE COMPANIES pursuant to paragraph (b) of this

1 subsection (3), the program shall provide the grants as follows:

2 (I) ~~Twenty~~ AT LEAST THIRTY percent of the moneys appropriated  
3 ~~from~~ TRANSFERRED TO the bioscience discovery evaluation cash fund  
4 created in subsection (5) of this section shall be used to provide grants to  
5 ~~research institutions~~ OFFICES OF TECHNOLOGY TRANSFER for BIOSCIENCE  
6 research projects that FOCUS ON LIFE SCIENCES, ENGINEERING, MATERIAL  
7 SCIENCES, COMPUTER SCIENCES, PHOTONICS, OR NANOTECHNOLOGY.

8 (A) ~~Are biofuel research projects; and~~

9 (B) ~~Are not SBIR projects or STTR projects.~~

10 (II) ~~Eighty~~ AT LEAST THIRTY percent of the moneys appropriated  
11 ~~from~~ TRANSFERRED TO the bioscience discovery evaluation cash fund  
12 created in subsection (5) of this section shall be used to provide grants to  
13 ~~research institutions for SBIR projects or STTR projects. Of this sum,~~  
14 ~~seventy-five percent of the moneys shall be used to provide grants to~~  
15 ~~research institutions for life sciences research projects, and twenty-five~~  
16 ~~percent of the moneys shall be used to provide grants to research~~  
17 ~~institutions for biofuel research projects~~ EARLY-STAGE BIOSCIENCE  
18 COMPANIES THAT HAVE LICENSED A TECHNOLOGY FROM A RESEARCH  
19 INSTITUTION FOR THE PURPOSE OF ACCELERATING THE  
20 COMMERCIALIZATION OF:

21 (A) THERAPEUTIC OR DIAGNOSTIC PRODUCTS, DEVICES, OR  
22 INSTRUMENTS TO IMPROVE HUMAN HEALTH;

23 (B) BIOSCIENCE TECHNOLOGIES THAT IMPROVE AGRICULTURE; OR

24 (C) BIOFUELS.

25 (b.7) ANY MONEYS TRANSFERRED TO THE BIOSCIENCE DISCOVERY  
26 EVALUATION CASH FUND CREATED IN SUBSECTION (5) OF THIS SECTION  
27 THAT ARE NOT USED TO PROVIDE GRANTS AS DESCRIBED IN PARAGRAPHS

1 (b) AND (b.5) OF THIS SUBSECTION (3) MAY BE USED BY THE COLORADO  
2 OFFICE OF ECONOMIC DEVELOPMENT ██████████ TO SUPPORT PARTNERSHIP  
3 EFFORTS BETWEEN THE BIOSCIENCE INDUSTRY AND RESEARCH  
4 INSTITUTIONS TO BUILD INFRASTRUCTURE THAT SUPPORTS THE  
5 COMMERCIALIZATION OF:

6 (I) THERAPEUTIC OR DIAGNOSTIC PRODUCTS, DEVICES, OR  
7 INSTRUMENTS TO IMPROVE HUMAN HEALTH;

8 (II) Bioscience technologies that improve agriculture; or

9 (III) BIOFUELS.

10 (c) To be eligible for a grant ~~under~~ FROM the program for a  
11 BIOSCIENCE research project that is ~~not an SBIR project or an STTR~~  
12 ~~project, an office of technology transfer~~ DESCRIBED IN SUBPARAGRAPH (I)  
13 OF PARAGRAPH (b.5) OF THIS SUBSECTION (3), AN OFFICE OF TECHNOLOGY  
14 TRANSFER shall submit to the Colorado office of economic development  
15 all of the following:

16 (I) A description of a bioscience research project that ~~meets the~~  
17 ~~following criteria:~~ FOCUSES ON LIFE SCIENCES, ENGINEERING, MATERIAL  
18 SCIENCES, COMPUTER SCIENCES, PHOTONICS, OR NANOTECHNOLOGY;

19 (A) ~~The bioscience research project will result in a new bioscience~~  
20 ~~research outcome that is reasonably likely to lead to improvements in~~  
21 ~~existing or new therapeutics, diagnostics, or devices to improve human~~  
22 ~~health or in agriculture;~~

23 (B) ~~The bioscience research project focuses on an area of science,~~  
24 ~~including but not limited to life sciences, engineering, material sciences,~~  
25 ~~computer sciences, photonics, and nanotechnology;~~

26 (C) ~~A research institution or multiple research institutions have~~  
27 ~~ownership of the intellectual property that results from the bioscience~~

1 research project;

2 (D) ~~The intellectual property resulting from the bioscience~~  
3 ~~research project is not obligated to a private entity; and~~

4 (E) ~~The entity conducting the bioscience research project certifies~~  
5 ~~that a disclosure statement on the technology that is the subject of the~~  
6 ~~research project has been filed pursuant to the requirements of the~~  
7 ~~research institution;~~

8 (II) Evidence of a dedicated, matching source of moneys that is AT  
9 LEAST equal to the amount applied for under the program; ~~If the office of~~  
10 ~~technology transfer is applying for a grant for a public institution of~~  
11 ~~higher education, the matching source of moneys shall not be moneys~~  
12 ~~appropriated by the general assembly; and~~

13 (III) An analysis demonstrating that the scope of the project for  
14 ~~which the office of technology transfer is applying for the grant is a scope~~  
15 ~~that is required to enhance the commercialization of the technology that~~  
16 ~~results from the project in Colorado.~~

17 (c.3) TO BE ELIGIBLE FOR A GRANT FROM THE PROGRAM FOR A  
18 COMMERCIALIZATION PURPOSE THAT IS DESCRIBED IN SUBPARAGRAPH (II)  
19 OF PARAGRAPH (b.5) OF THIS SUBSECTION (3), AN EARLY-STAGE  
20 BIOSCIENCE COMPANY SHALL SUBMIT TO THE COLORADO OFFICE OF  
21 ECONOMIC DEVELOPMENT ALL OF THE FOLLOWING:

22 (I) AN ANALYSIS DEMONSTRATING THAT THE SCOPE OF THE  
23 PROJECT IS REQUIRED TO ENHANCE THE COMMERCIALIZATION OF ONE OR  
24 MORE OF THE FOLLOWING TECHNOLOGIES:

25 (A) THERAPEUTIC OR DIAGNOSTIC PRODUCTS, DEVICES, OR  
26 INSTRUMENTS TO IMPROVE HUMAN HEALTH;

27 (B) BIOSCIENCE TECHNOLOGIES THAT IMPROVE AGRICULTURE; OR

1 (C) BIOFUELS;

2 (II) EVIDENCE OF A DEDICATED, MATCHING SOURCE OF MONEYS  
3 THAT IS AT LEAST EQUAL TO THE AMOUNT APPLIED FOR UNDER THE  
4 PROGRAM, WHICH SOURCE CONSISTS ENTIRELY OF OTHER GRANTS OR  
5 CONTRIBUTIONS FROM THIRD-PARTY INVESTORS.

6 (c.5) ~~To be eligible for a grant under the program for an SBIR~~  
7 ~~project or an STTR project, an office of technology transfer shall submit~~  
8 ~~to the Colorado office of economic development all of the following:~~

9 (I) ~~A description of a bioscience research project that meets the~~  
10 ~~criteria described in sub-subparagraphs (A), (B), and (E) of subparagraph~~  
11 ~~(I) of paragraph (c) of subsection (3) of this section and the following~~  
12 ~~criteria:~~

13 (A) ~~At the time that the office of technology transfer of a research~~  
14 ~~institution applies for a grant from the program, the bioscience research~~  
15 ~~project for which the office of technology transfer seeks grant moneys has~~  
16 ~~received a phase (I) award of moneys from a federal agency small~~  
17 ~~business innovation research program or a federal agency small business~~  
18 ~~technology transfer program, as codified at 15 U.S.C. sec. 638; and~~

19 (B) ~~The research institution applying for the grant has designated~~  
20 ~~a principal investigator for the bioscience research project;~~

21 (H) ~~Evidence of a dedicated, matching source of moneys from a~~  
22 ~~federal agency small business innovation research program or a federal~~  
23 ~~agency small business technology transfer program, as codified at 15~~  
24 ~~U.S.C. 638, that is equal to twice the amount applied for under the~~  
25 ~~program;~~

26 (HH) ~~An analysis demonstrating that the scope of the project for~~  
27 ~~which the office of technology transfer is applying for the grant is a scope~~

1 that is required to enhance the commercialization of the technology that  
2 results from the project in Colorado;

3 ~~(IV) Evidence of an existing agreement between a private~~  
4 ~~company and the research institution that is applying for the grant, which~~  
5 ~~agreement includes a right or option to license for commercial use any~~  
6 ~~technology, device, or improvement that results from the bioscience~~  
7 ~~research project; and~~

8 ~~(V) Evidence that the private company with which the research~~  
9 ~~institution has contracted pursuant to subparagraph (IV) of this paragraph~~  
10 ~~(c.5) has no more than twenty full-time employees.~~

11 (d) Except as otherwise provided in subparagraph (II) of  
12 paragraph (c) of this subsection (3), and subparagraph (II) of ~~paragraph~~  
13 ~~(c.5) PARAGRAPH (c.3)~~ of this subsection (3), a grant awarded under the  
14 program shall not be used to supplement the funding of the research scope  
15 of a bioscience research project that is receiving funding from other  
16 sources.

17 (e) Upon completion of ~~the research scope of a bioscience~~  
18 ~~research~~ A project FOR WHICH A GRANT RECIPIENT HAS RECEIVED A GRANT  
19 AWARDED UNDER THE PROGRAM, any unused grant ~~money~~ MONEYS shall  
20 be returned by the office of technology transfer OR EARLY-STAGE  
21 BIOSCIENCE COMPANY to the COLORADO office of economic development.  
22 The office of economic development shall transfer the moneys to the state  
23 treasurer who shall deposit the same into the fund created in subsection  
24 (5) of this section.

25 (4) **Policies - reporting.** (a) On or before ~~September 1, 2006~~  
26 SEPTEMBER 1, 2008, the director shall establish policies for the program  
27 that include, but need not be limited to:

1 (I) The procedures and timelines by which an office of technology  
2 transfer OR AN EARLY-STAGE BIOSCIENCE COMPANY may apply for a grant;

3 (II) Criteria for determining the grant amounts; and

4 (III) Reporting requirements for grant recipients that require, at a  
5 minimum, each ~~research institution~~ OFFICE OF TECHNOLOGY TRANSFER  
6 THAT RECEIVES A GRANT UNDER THE PROGRAM OR ITS DESIGNEE to present  
7 its bioscience research project to elementary and secondary school  
8 science teachers who are employed in the geographic region in which the  
9 technology is being developed.

10 (b) On or before March 1, 2007, and on or before March 1 each  
11 year thereafter, the director shall submit a report to the finance  
12 committees of the senate and house of representatives, or any successor  
13 committees, summarizing the ~~bioscience research projects that received~~  
14 ~~funding under the program~~ USE OF ALL MONEYS THAT WERE AWARDED AS  
15 GRANTS FROM THE PROGRAM in the preceding calendar year. At a  
16 minimum, the report shall specify, ~~the following information~~ with regard  
17 to the ~~bioscience research projects~~ GRANT RECIPIENTS that received  
18 funding under the program during the preceding calendar year, THE  
19 AMOUNT OF GRANT MONEYS DISTRIBUTED TO EACH GRANT RECIPIENT AND  
20 A DESCRIPTION OF EACH GRANT RECIPIENT'S USE OF THE GRANT MONEYS.

21 (I) ~~The amount of funding distributed to each bioscience research~~  
22 ~~project and a description of each bioscience research project;~~

23 (II) ~~The manner in which each bioscience research project applied~~  
24 ~~the funding received under the program; and~~

25 (III) ~~The results achieved by each bioscience research project,~~  
26 ~~including identifiable monetary returns to the grantee and others since the~~  
27 ~~receipt of the grant.~~

1           (5) **Fund.** (a) There is hereby created in the state treasury the  
2 bioscience discovery evaluation cash fund, referred to in this section as  
3 the "fund", that shall consist of moneys that are transferred to the fund  
4 pursuant to section 12-47.1-701 (4) (a), C.R.S., ~~and~~ any moneys  
5 transferred to the fund pursuant to paragraph (e) of subsection (3) of this  
6 section, AND ANY OTHER MONEYS APPROPRIATED TO THE FUND BY THE  
7 GENERAL ASSEMBLY. The moneys in the fund shall be continuously  
8 appropriated for the direct and indirect costs associated with the  
9 implementation of the program. Any moneys in the fund not expended  
10 for the purpose of this section may be invested by the state treasurer as  
11 provided by law. All interest and income derived from the investment  
12 and deposit of moneys in the fund shall be credited to the fund. Any  
13 unexpended and unencumbered moneys remaining in the fund at the end  
14 of a fiscal year shall remain in the fund and shall not be credited or  
15 transferred to the general fund or another fund; EXCEPT THAT ANY  
16 UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND  
17 UPON THE REPEAL OF THIS SECTION SHALL BE TRANSFERRED TO THE  
18 GENERAL FUND.

19           (b) The Colorado office of economic development may use up to  
20 five percent of the moneys transferred ~~into~~ TO the fund for the actual costs  
21 incurred in administering the program.

22           (6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2013.

23           **SECTION 2.** The introductory portions to 12-47.1-701 (1) (c) and  
24 (4) (a) and 12-47.1-701 (4) (a) (III), Colorado Revised Statutes, are  
25 amended to read:

26           **12-47.1-701. Limited gaming fund.** (1) There is hereby created  
27 in the office of the state treasurer the limited gaming fund. The fund shall

1 be maintained and operated as follows:

2 (c) Except as otherwise provided in ~~subsection~~ SUBSECTIONS (4)  
3 AND (5) of this section, at the end of each state fiscal year, the state  
4 treasurer shall distribute the balance remaining in the limited gaming  
5 fund, except for an amount equal to all expenses of the administration of  
6 this article for the preceding two-month period, according to the  
7 following guidelines:

8 (4) (a) At the end of each fiscal year, the state treasurer shall  
9 distribute the balance remaining in the limited gaming fund in accordance  
10 with the provisions of section 9 (5) (b) (II) of article XVIII of the state  
11 constitution AND PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION;  
12 except that:

13 (III) (A) For the 2005-06 fiscal year, of the portion of limited  
14 gaming fund moneys that would otherwise be transferred to the general  
15 fund pursuant to section 9 (5) (b) (II) of article XVIII of the state  
16 constitution, after the transfer to the local government limited gaming  
17 impact fund required by section 12-47.1-1601, and after any other transfer  
18 or distribution of the general fund portion of limited gaming fund moneys  
19 required by this paragraph (a), two million dollars shall be transferred to  
20 the bioscience discovery evaluation cash fund for the implementation of  
21 the bioscience discovery evaluation grant program, created in section  
22 24-48.5-108, C.R.S., beginning in the 2006-07 fiscal year; ~~and~~

23 (B) For the 2006-07 fiscal year, of the portion of limited gaming  
24 fund moneys that would otherwise be transferred to the general fund  
25 pursuant to section 9 (5) (b) (II) of article XVIII of the state constitution,  
26 after the transfer to the local government limited gaming impact fund  
27 required by section 12-47.1-1601, and after any other transfer or

1 distribution of the general fund portion of limited gaming fund moneys  
2 required by this paragraph (a), two million five hundred thousand dollars  
3 shall be transferred to the bioscience discovery evaluation cash fund for  
4 the implementation of the bioscience discovery evaluation grant program,  
5 created in section 24-48.5-108, C.R.S., beginning in the 2007-08 fiscal  
6 year; and

7 (C) FOR THE 2008-09 FISCAL YEAR, OF THE PORTION OF LIMITED  
8 GAMING FUND MONEYS THAT WOULD OTHERWISE BE TRANSFERRED TO THE  
9 GENERAL FUND PURSUANT TO SECTION 9 (5) (b) (II) OF ARTICLE XVIII OF  
10 THE STATE CONSTITUTION, AFTER THE TRANSFER TO THE LOCAL  
11 GOVERNMENT LIMITED GAMING IMPACT FUND REQUIRED BY SECTION  
12 12-47.1-1601, AND AFTER ANY OTHER TRANSFER OR DISTRIBUTION OF THE  
13 GENERAL FUND PORTION OF LIMITED GAMING FUND MONEYS REQUIRED BY  
14 THIS PARAGRAPH (a), FOUR MILLION FIVE HUNDRED THOUSAND DOLLARS  
15 SHALL BE TRANSFERRED TO THE BIOSCIENCE DISCOVERY EVALUATION  
16 CASH FUND FOR THE IMPLEMENTATION OF THE BIOSCIENCE DISCOVERY  
17 EVALUATION GRANT PROGRAM, CREATED IN SECTION 24-48.5-108, C.R.S.,  
18 BEGINNING IN THE 2009-10 FISCAL YEAR;

19 (D) FOR THE 2009-10 FISCAL YEAR, OF THE PORTION OF LIMITED  
20 GAMING FUND MONEYS THAT WOULD OTHERWISE BE TRANSFERRED TO THE  
21 GENERAL FUND PURSUANT TO SECTION 9 (5) (b) (II) OF ARTICLE XVIII OF  
22 THE STATE CONSTITUTION, AFTER THE TRANSFER TO THE LOCAL  
23 GOVERNMENT LIMITED GAMING IMPACT FUND REQUIRED BY SECTION  
24 12-47.1-1601, AND AFTER ANY OTHER TRANSFER OR DISTRIBUTION OF THE  
25 GENERAL FUND PORTION OF LIMITED GAMING FUND MONEYS REQUIRED BY  
26 THIS PARAGRAPH (a), FIVE MILLION FIVE HUNDRED THOUSAND DOLLARS  
27 SHALL BE TRANSFERRED TO THE BIOSCIENCE DISCOVERY EVALUATION

1 CASH FUND FOR THE IMPLEMENTATION OF THE BIOSCIENCE DISCOVERY  
2 EVALUATION GRANT PROGRAM, CREATED IN SECTION 24-48.5-108, C.R.S.,  
3 BEGINNING IN THE 2010-11 FISCAL YEAR;

4 (E) FOR THE 2010-11 FISCAL YEAR, OF THE PORTION OF LIMITED  
5 GAMING FUND MONEYS THAT WOULD OTHERWISE BE TRANSFERRED TO THE  
6 GENERAL FUND PURSUANT TO SECTION 9 (5) (b) (II) OF ARTICLE XVIII OF  
7 THE STATE CONSTITUTION, AFTER THE TRANSFER TO THE LOCAL  
8 GOVERNMENT LIMITED GAMING IMPACT FUND REQUIRED BY SECTION  
9 12-47.1-1601, AND AFTER ANY OTHER TRANSFER OR DISTRIBUTION OF THE  
10 GENERAL FUND PORTION OF LIMITED GAMING FUND MONEYS REQUIRED BY  
11 THIS PARAGRAPH (a), FIVE MILLION FIVE HUNDRED THOUSAND DOLLARS  
12 SHALL BE TRANSFERRED TO THE BIOSCIENCE DISCOVERY EVALUATION  
13 CASH FUND FOR THE IMPLEMENTATION OF THE BIOSCIENCE DISCOVERY  
14 EVALUATION GRANT PROGRAM, CREATED IN SECTION 24-48.5-108, C.R.S.,  
15 BEGINNING IN THE 2011-12 FISCAL YEAR; AND

16 (F) FOR THE 2011-12 FISCAL YEAR, OF THE PORTION OF LIMITED  
17 GAMING FUND MONEYS THAT WOULD OTHERWISE BE TRANSFERRED TO THE  
18 GENERAL FUND PURSUANT TO SECTION 9 (5) (b) (II) OF ARTICLE XVIII OF  
19 THE STATE CONSTITUTION, AFTER THE TRANSFER TO THE LOCAL  
20 GOVERNMENT LIMITED GAMING IMPACT FUND REQUIRED BY SECTION  
21 12-47.1-1601, AND AFTER ANY OTHER TRANSFER OR DISTRIBUTION OF THE  
22 GENERAL FUND PORTION OF LIMITED GAMING FUND MONEYS REQUIRED BY  
23 THIS PARAGRAPH (a), FIVE MILLION FIVE HUNDRED THOUSAND DOLLARS  
24 SHALL BE TRANSFERRED TO THE BIOSCIENCE DISCOVERY EVALUATION  
25 CASH FUND FOR THE IMPLEMENTATION OF THE BIOSCIENCE DISCOVERY  
26 EVALUATION GRANT PROGRAM, CREATED IN SECTION 24-48.5-108, C.R.S.,  
27 BEGINNING IN THE 2012-13 FISCAL YEAR.

1           **SECTION 3. Appropriation.** In addition to any other  
2 appropriation, for the fiscal year beginning July 1, 2007, there is hereby  
3 appropriated, out of any moneys in the general fund not otherwise  
4 appropriated, to the bioscience discovery evaluation cash fund created in  
5 section 24-48.5-108 (5), Colorado Revised Statutes, the sum of five  
6 million five hundred thousand dollars (\$5,500,000) for use by the  
7 Colorado office of economic development for the implementation of the  
8 bioscience discovery evaluation grant program, created in section  
9 24-48.5-108, Colorado Revised Statutes, beginning in the 2008-09 fiscal  
10 year.

11           **SECTION 4. Safety clause.** The general assembly hereby finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, and safety.