

SB166_L.004

HOUSE COMMITTEE OF REFERENCE REPORT

 Chairman of Committee

 Date
Committee on Business Affairs and Labor.

After consideration on the merits, the Committee recommends the following:

SB10-166 be amended as follows:

1 Amend reengrossed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. Part 8 of article 82 of title 24, Colorado Revised
4 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
5 read:

6 **24-82-802. Lease-purchase agreements for real property -**
7 **definitions - lease-purchase rental cash fund.** (1) AS USED IN THIS
8 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 (a) (I) "ANNUAL LEASE-PURCHASE PAYMENT" MEANS THE TOTAL
10 AMOUNT DUE FROM THE STATE ON PROPERTY SUBJECT TO A
11 LEASE-PURCHASE AGREEMENT AND INCLUDES:

12 (A) THE ANNUAL BASE RENT SCHEDULED TO BE PAID AND THE
13 ADDITIONAL RENT ESTIMATED TO BE PAID ON OR PURSUANT TO THE
14 LEASE-PURCHASE AGREEMENT AND ANY ANCILLARY AGREEMENTS THAT
15 MAY INCLUDE, BUT NEED NOT BE LIMITED TO, ANY OF THE FOLLOWING
16 THAT ARE PAID ON A CURRENT BASIS AND NOT PAID BY A LESSOR OR OTHER
17 THIRD PARTY AS PART OF A LEASE-PURCHASE AGREEMENT: ALL
18 ACQUISITION COSTS, SUCH AS DUE DILIGENCE COSTS ASSOCIATED WITH
19 EVALUATION OF AN EXISTING BUILDING; LAND ACQUISITION; PENALTIES
20 FOR BREAKING LEASE AGREEMENTS; A CAPITAL RESERVE FOR SPACE
21 PLANNING AND CAPITAL IMPROVEMENTS NEEDED IN THE BUILDING FOR
22 DEMOLITION AND CONSTRUCTION OF TENANT SPACE FOR STATE AGENCIES



1 OR THE RELEASE TO EXISTING TENANTS; RELOCATION COSTS; OFFICE
2 FURNITURE AND EQUIPMENT; INSURANCE; AND THE COSTS ASSOCIATED
3 WITH ANY LEASE-PURCHASE FINANCING; PLUS

4 (B) OPERATING AND MAINTENANCE COSTS AND A RESERVE FOR
5 CONTROLLED MAINTENANCE COSTS.

6 (II) FOR THE CONSTRUCTION OF A NEW BUILDING ON LAND OWNED
7 OR LEASED BY THE STATE, THE ACQUISITION COSTS MAY ALSO INCLUDE
8 THE ARCHITECTURAL AND ENGINEERING DESIGN AND ENGINEERING COSTS,
9 SITE PREPARATION, PROVISIONS FOR UTILITIES AND TAP FEES, AND
10 MATERIALS AND CONSTRUCTION COSTS.

11 (b) "ANNUAL RENT COSTS" MEANS BASE RENT TYPICALLY FOUND
12 IN THE LEASED SPACE LINE ITEM IN THE ANNUAL GENERAL APPROPRIATION
13 BILL PLUS ALL OPERATION, MAINTENANCE, AND RELATED COSTS PAID TO
14 A LESSOR OR OTHER THIRD PARTY.

15 (c) "DEPARTMENT" MEANS THE DEPARTMENT OF PERSONNEL,
16 CREATED IN SECTION 24-1-128.

17 (d) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
18 THE DEPARTMENT OF PERSONNEL.

19 (e) "LEASE-PURCHASE AGREEMENT" SHALL HAVE THE SAME
20 DEFINITION AS PROVIDED IN SECTION 24-82-801 (4).

21 (2) (a) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE STATE
22 TREASURER, ON BEHALF OF THE STATE OF COLORADO FOR THE USE OF THE
23 DEPARTMENT, IS AUTHORIZED TO ENTER INTO ONE OR MORE
24 LEASE-PURCHASE AGREEMENTS FOR REAL AND ASSOCIATED PERSONAL
25 PROPERTY EXISTING OR TO BE CONSTRUCTED PURSUANT TO
26 REQUIREMENTS OF THE STATE TO BE EXCLUSIVELY USED, POSSESSED, AND
27 MANAGED BY THE DEPARTMENT FOR STATE AGENCIES AND NON-STATE
28 LESSEES OF THE DEPARTMENT AS THE EXECUTIVE DIRECTOR MAY SOLELY
29 DETERMINE ACCORDING TO THE PLAN APPROVED PURSUANT TO
30 SUBSECTION (4) OF THIS SECTION AND SUBJECT TO THE TERMS OF THE
31 LEASE-PURCHASE AGREEMENT.

32 (b) SUBJECT TO THE PROVISIONS OF SECTION 2 OF ARTICLE XI OF
33 THE STATE CONSTITUTION, THE STATE TREASURER, FOR THE USE AND



1 BENEFIT OF THE DEPARTMENT, MAY ENTER INTO SUCH LEASE-PURCHASE
2 AGREEMENTS IN CONJUNCTION WITH THE STATE BOARD OF LAND
3 COMMISSIONERS, CREATED PURSUANT TO SECTION 9 OF ARTICLE IX OF THE
4 STATE CONSTITUTION, OR WITH A PRIVATE PERSON. THE STATE
5 TREASURER SHALL TRANSFER ALL BENEFITS AND RESPONSIBILITIES UNDER
6 THE LEASE-PURCHASE AGREEMENT TO THE DEPARTMENT. THE
7 DEPARTMENT SHALL MANAGE THE PROPERTY FOR THE STATE AS THE
8 EXECUTIVE DIRECTOR MAY SOLELY DETERMINE, SUBJECT TO THE TERMS
9 OF THE LEASE-PURCHASE AGREEMENT.

10 (3) THE STATE TREASURER SHALL ENTER INTO A LEASE-PURCHASE
11 AGREEMENT AUTHORIZED PURSUANT TO SUBSECTION (2) OF THIS SECTION
12 ON BEHALF OF THE STATE FOR THE USE AND BENEFIT OF THE DEPARTMENT
13 ONLY IF, AT THE TIME THAT THE LEASE-PURCHASE AGREEMENT IS
14 EXECUTED:

15 (a) THE STATE AGENCIES THAT WILL BE LOCATED IN THE PROPERTY
16 THAT IS THE SUBJECT OF THE LEASE-PURCHASE AGREEMENT ARE FUNDED,
17 IN WHOLE OR IN PART, BY APPROPRIATIONS AND A PORTION OF THE
18 APPROPRIATIONS ARE BEING EXPENDED TO PAY RENT TO A LESSOR;

19 (b) THE PROJECTED ANNUAL RENT COSTS OF THE STATE AGENCIES
20 THAT WILL BE LOCATED IN THE PROPERTY PLUS ANY CURRENT RENTAL
21 PAYMENTS OR RENTAL PAYMENTS PROJECTED TO BE RECEIVED FROM
22 NON-STATE LESSEES FOR EACH FISCAL YEAR DURING THE MAXIMUM TERM
23 OF THE LEASE-PURCHASE AGREEMENT EXCEED THE ANNUAL
24 LEASE-PURCHASE PAYMENT FOR THE PROPERTY, ADJUSTED AS
25 APPROPRIATE TO ACCOUNT FOR ANY DIFFERENCES IN SERVICES PROVIDED
26 TO, OR COSTS PAID FOR THE BENEFIT OF, THE STATE UNDER THE RELATED
27 LEASES AND LEASE-PURCHASE AGREEMENTS;

28 (c) THE PROPERTY OR PROPOSED CONSTRUCTION PLAN FOR THE
29 PROPERTY HAS BEEN REVIEWED BY THE STATE ARCHITECT WHO SHALL
30 MAKE WRITTEN RECOMMENDATIONS TO THE EXECUTIVE DIRECTOR FOR
31 CONTROLLED MAINTENANCE NEEDS DURING THE TERM OF THE
32 LEASE-PURCHASE AGREEMENT;

33 (d) THE PLAN FOR THE LEASE-PURCHASE TRANSACTION HAS BEEN
34 APPROVED FIRST BY THE OFFICE OF STATE PLANNING AND BUDGETING AND
35 THE CAPITAL DEVELOPMENT COMMITTEE OF THE GENERAL ASSEMBLY
36 PURSUANT TO SUBSECTION (4) OF THIS SECTION;



1 (e) THE EXECUTIVE DIRECTOR ACKNOWLEDGES HIS OR HER
2 APPROVAL OF THE TERMS OF THE LEASE-PURCHASE AGREEMENTS AND ANY
3 ANCILLARY AGREEMENTS;

4 (f) THE AGREEMENTS FOR THE LEASE-PURCHASE TRANSACTION
5 ACCURATELY REFLECT THE PLAN APPROVED BY THE OFFICE OF STATE
6 PLANNING AND BUDGETING AND THE CAPITAL DEVELOPMENT COMMITTEE;
7 AND

8 (g) THE STATE CONTROLLER HAS APPROVED ALL AGREEMENTS
9 PURSUANT TO SECTION 24-30-202.

10 (4) PRIOR TO THE STATE TREASURER ENTERING INTO ANY
11 LEASE-PURCHASE AGREEMENT PURSUANT TO THIS SECTION, THE
12 EXECUTIVE DIRECTOR SHALL SUBMIT THE REPORT REQUIRED BY SECTION
13 24-82-102 (1) AND THE PLAN FOR THE LEASE-PURCHASE TRANSACTION TO
14 THE OFFICE OF STATE PLANNING AND BUDGETING. IF THE OFFICE OF STATE
15 PLANNING AND BUDGETING APPROVES THE REPORT AND THE PLAN, IT
16 SHALL SUBMIT THE REPORT AND THE PLAN TO THE CAPITAL DEVELOPMENT
17 COMMITTEE OF THE GENERAL ASSEMBLY. THE CAPITAL DEVELOPMENT
18 COMMITTEE SHALL APPROVE THE PLAN OR REFER ITS RECOMMENDATIONS
19 REGARDING THE PLAN, WITH WRITTEN COMMENTS, TO THE EXECUTIVE
20 DIRECTOR AND THE OFFICE OF STATE PLANNING AND BUDGETING.

21 (5) APPROVAL OF THE PLAN BY THE OFFICE OF STATE PLANNING
22 AND BUDGETING SHALL NOT AUTHORIZE THE DEPARTMENT TO EXPEND
23 ANY MONEYS ON THE ANNUAL LEASE-PURCHASE PAYMENT IN ANY FISCAL
24 YEAR IN AN AMOUNT GREATER THAN THE PROJECTED ANNUAL RENT COSTS
25 OF THE STATE AGENCIES PLUS ANY RENTAL PAYMENTS PROJECTED TO BE
26 RECEIVED FROM NON-STATE LESSEES FOR SUCH FISCAL YEAR, ADJUSTED
27 AS APPROPRIATE TO ACCOUNT FOR ANY DIFFERENCES IN SERVICES
28 PROVIDED TO, OR COSTS PAID FOR THE BENEFIT OF, THE STATE UNDER THE
29 RELATED LEASES AND LEASE-PURCHASE AGREEMENTS.

30 (6) THE STATE OF COLORADO, ACTING BY AND THROUGH THE
31 STATE TREASURER, FOR THE USE AND BENEFIT OF THE DEPARTMENT MAY,
32 AT THE STATE TREASURER'S SOLE DISCRETION, ENTER INTO ONE OR MORE
33 LEASE-PURCHASE AGREEMENTS AUTHORIZED BY SUBSECTION (2) OF THIS
34 SECTION WITH ANY FOR-PROFIT OR NONPROFIT CORPORATION, TRUST, OR
35 COMMERCIAL BANK AS A TRUSTEE, AS LESSOR.



1 (7) (a) A LEASE-PURCHASE AGREEMENT AUTHORIZED IN
2 SUBSECTION (2) OF THIS SECTION SHALL PROVIDE THAT ALL OF THE
3 OBLIGATIONS OF THE STATE UNDER THE LEASE-PURCHASE AGREEMENT
4 SHALL BE SUBJECT TO THE ACTION OF THE GENERAL ASSEMBLY IN
5 ANNUALLY MAKING MONEYS AVAILABLE FOR ALL PAYMENTS
6 THEREUNDER. THE LEASE-PURCHASE AGREEMENT SHALL ALSO PROVIDE
7 THAT THE OBLIGATIONS SHALL NOT BE DEEMED OR CONSTRUED AS
8 CREATING AN INDEBTEDNESS OF THE STATE WITHIN THE MEANING OF ANY
9 PROVISION OF THE STATE CONSTITUTION OR THE LAWS OF THE STATE OF
10 COLORADO CONCERNING OR LIMITING THE CREATION OF INDEBTEDNESS BY
11 THE STATE OF COLORADO AND SHALL NOT CONSTITUTE A MULTIPLE
12 FISCAL-YEAR DIRECT OR INDIRECT DEBT OR OTHER FINANCIAL OBLIGATION
13 OF THE STATE WITHIN THE MEANING OF SECTION 20 (4) OF ARTICLE X OF
14 THE STATE CONSTITUTION. IN THE EVENT THE STATE OF COLORADO DOES
15 NOT RENEW A LEASE-PURCHASE AGREEMENT AUTHORIZED IN SUBSECTION
16 (2) OF THIS SECTION, THE SOLE SECURITY AVAILABLE TO THE LESSOR
17 SHALL BE THE PROPERTY ENCUMBERED TO SECURE THE NONRENEWED
18 LEASE-PURCHASE AGREEMENT OR EQUIVALENT SUBSTITUTE COLLATERAL
19 PROVIDED BY THE STATE.

20 (b) A LEASE-PURCHASE AGREEMENT AUTHORIZED IN SUBSECTION
21 (2) OF THIS SECTION MAY CONTAIN SUCH TERMS, PROVISIONS, AND
22 CONDITIONS AS THE STATE TREASURER, ACTING ON BEHALF OF THE STATE
23 OF COLORADO AND FOR THE USE AND BENEFIT OF THE DEPARTMENT, MAY
24 DEEM APPROPRIATE, INCLUDING ALL OPTIONAL TERMS; EXCEPT THAT A
25 LEASE-PURCHASE AGREEMENT:

26 (I) SHALL NOT EXCEED IN ITS TERM THE SHORTER OF THE
27 REMAINING USEFUL LIFE OF THE BUILDING OR TWENTY-FIVE YEARS; AND

28 (II) SHALL SPECIFICALLY AUTHORIZE THE STATE OF COLORADO:

29 (A) TO RECEIVE TITLE TO ALL REAL AND PERSONAL PROPERTY
30 THAT IS THE SUBJECT OF THE LEASE-PURCHASE AGREEMENT ON OR PRIOR
31 TO THE EXPIRATION OF THE TERMS OF THE LEASE-PURCHASE AGREEMENT;
32 AND

33 (B) TO REDUCE THE TERM OF THE LEASE THROUGH PREPAYMENT
34 OF RENTAL AND OTHER PAYMENTS SUBJECT TO THE TERMS OF THE
35 LEASE-PURCHASE AGREEMENT AND ANY ANCILLARY AGREEMENT.



1 (c) A LEASE-PURCHASE AGREEMENT AUTHORIZED IN SUBSECTION
2 (2) OF THIS SECTION MAY PROVIDE FOR THE ISSUANCE, DISTRIBUTION, AND
3 SALE OF INSTRUMENTS EVIDENCING RIGHTS TO RECEIVE RENTALS AND
4 OTHER PAYMENTS MADE AND TO BE MADE UNDER THE LEASE-PURCHASE
5 AGREEMENT. THE INSTRUMENTS SHALL NOT BE NOTES, BONDS, OR ANY
6 OTHER EVIDENCE OF INDEBTEDNESS OF THE STATE WITHIN THE MEANING
7 OF ANY PROVISION OF THE STATE CONSTITUTION OR THE LAW OF THE
8 STATE CONCERNING OR LIMITING THE CREATION OF INDEBTEDNESS OF THE
9 STATE AND SHALL NOT CONSTITUTE A MULTIPLE FISCAL-YEAR DIRECT OR
10 INDIRECT DEBT OR OTHER FINANCIAL OBLIGATION OF THE STATE WITHIN
11 THE MEANING OF SECTION 20 (4) OF ARTICLE X OF THE STATE
12 CONSTITUTION.

13 (d) INTEREST PAID UNDER A LEASE-PURCHASE AGREEMENT
14 AUTHORIZED IN SUBSECTION (2) OF THIS SECTION, INCLUDING INTEREST
15 REPRESENTED BY THE INSTRUMENTS, SHALL BE EXEMPT FROM COLORADO
16 INCOME TAX.

17 (e) THE STATE OF COLORADO, ACTING THROUGH THE STATE
18 TREASURER, FOR THE USE AND BENEFIT OF THE DEPARTMENT, IS
19 AUTHORIZED, IF THE EXECUTIVE DIRECTOR CONCURS, TO ENTER INTO
20 ANCILLARY AGREEMENTS AND INSTRUMENTS AS ARE DEEMED NECESSARY
21 OR APPROPRIATE IN CONNECTION WITH A LEASE-PURCHASE AGREEMENT,
22 INCLUDING BUT NOT LIMITED TO GROUND LEASES, SITE LEASES,
23 EASEMENTS, OR OTHER INSTRUMENTS RELATING TO THE REAL PROPERTY
24 ON WHICH THE FACILITIES ARE LOCATED; EXCEPT THAT NO ANCILLARY
25 AGREEMENT IS AUTHORIZED THAT WOULD CAUSE THE ANNUAL
26 LEASE-PURCHASE PAYMENT TO EXCEED THE ANNUAL RENT COSTS
27 APPROPRIATED TO THE STATE AGENCIES PRIOR TO THE LEASE-PURCHASE
28 AGREEMENT PLUS ANY RENT PROJECTED TO BE RECEIVED FROM
29 NON-STATE LESSEES.

30 (f) A LEASE-PURCHASE AGREEMENT AUTHORIZED IN SUBSECTION
31 (2) OF THIS SECTION MAY REQUIRE THE STATE TO PROVIDE INSURANCE;
32 EXCEPT THAT NO INSURANCE IS AUTHORIZED THAT WOULD CAUSE THE
33 ANNUAL LEASE-PURCHASE PAYMENT TO EXCEED THE ANNUAL RENT COSTS
34 OF THE STATE AGENCIES PRIOR TO THE LEASE-PURCHASE AGREEMENT PLUS
35 ANY RENT PROJECTED TO BE RECEIVED FROM NON-STATE LESSEES,
36 ADJUSTED AS DESCRIBED IN PARAGRAPH (b) OF SUBSECTION (3) OF THIS
37 SECTION. THE INSURANCE MAY BE PROVIDED THROUGH THE SELF-INSURED
38 PROPERTY FUND CREATED PURSUANT TO SECTION 24-30-1510.5.



1 (8) ANY PROVISION OF THE FISCAL RULES PROMULGATED
2 PURSUANT TO SECTION 24-30-202 (1) AND (13) THAT THE STATE
3 CONTROLLER DEEMS TO BE INCOMPATIBLE OR INAPPLICABLE WITH
4 RESPECT TO SAID LEASE-PURCHASE AGREEMENTS OR ANY SUCH
5 ANCILLARY AGREEMENT MAY BE WAIVED BY THE CONTROLLER OR HIS OR
6 HER DESIGNEE.

7 (9) IF A LEASE-PURCHASE AGREEMENT AUTHORIZED PURSUANT TO
8 SUBSECTION (2) OF THIS SECTION IS EXECUTED, DURING THE TERM OF THE
9 LEASE-PURCHASE AGREEMENT, MONEYS THAT AT THE TIME OF THE
10 EXECUTION ARE APPROPRIATED TO A STATE AGENCY FOR RENTAL
11 PAYMENTS IN AN AMOUNT EQUAL TO THE ANNUAL LEASE-PURCHASE
12 PAYMENT, LESS ANY PAYMENTS PROJECTED TO BE RECEIVED FROM
13 NON-STATE LESSEES PURSUANT TO SUBSECTION (10) OF THIS SECTION,
14 SHALL BE TRANSFERRED TO THE LEASE-PURCHASE SERVICING ACCOUNT OF
15 THE CAPITAL CONSTRUCTION FUND, CREATED IN SECTION 24-75-302 (3.5),
16 AND, SUBJECT TO ANNUAL APPROPRIATION, SHALL BE USED TO PAY THE
17 ANNUAL LEASE-PURCHASE PAYMENTS FOR THE PROPERTY THAT IS THE
18 SUBJECT OF THE LEASE-PURCHASE AGREEMENT OR FOR OPERATING,
19 MAINTENANCE, AND CONTROLLED MAINTENANCE COSTS FOR THE
20 PROPERTY SUBJECT TO THE LEASE-PURCHASE AGREEMENT. MONEYS HELD
21 IN THE LEASE-PURCHASE SERVICING ACCOUNT SHALL BE FOR THE BENEFIT
22 OF THE DEPARTMENT.

23 (10) (a) IF THE EXECUTIVE DIRECTOR DETERMINES THAT, IN A
24 PROPERTY SUBJECT TO A LEASE-PURCHASE AGREEMENT AUTHORIZED
25 PURSUANT TO SUBSECTION (2) OF THIS SECTION, THERE IS SPACE THAT IS
26 NOT NEEDED BY A STATE AGENCY, THE EXECUTIVE DIRECTOR,
27 SEPARATELY OR IN CONJUNCTION WITH THE STATE BOARD OF LAND
28 COMMISSIONERS OR ANOTHER PERSON, MAY:

29 (I) HIRE A BUILDING MANAGER TO MANAGE THE SPACE; OR

30 (II) SUBJECT TO THE APPROVAL OF THE OFFICE OF STATE PLANNING
31 AND BUDGETING, LEASE THE SPACE TO ANY PERSON ON COMMERCIALY
32 REASONABLE TERMS.

33 (b) (I) ANY MONEYS RECEIVED BY THE EXECUTIVE DIRECTOR ON
34 BEHALF OF NON-STATE LESSEES PURSUANT TO PARAGRAPH (a) OF THIS
35 SUBSECTION (10) SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO
36 SHALL CREDIT THE SAME TO THE LEASE-PURCHASE RENTAL CASH FUND



1 FOR THE BENEFIT OF THE DEPARTMENT, WHICH FUND IS HEREBY CREATED
2 AND REFERRED TO IN THIS SECTION AS THE "FUND". THE MONEYS IN THE
3 FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
4 ASSEMBLY TO THE DEPARTMENT OF PERSONNEL AND SHALL ONLY BE USED
5 FOR THE ANNUAL LEASE-PURCHASE PAYMENTS FOR LEASE-PURCHASE
6 AGREEMENTS AUTHORIZED PURSUANT TO SUBSECTION (2) OF THIS SECTION
7 OR FOR OPERATING, MAINTENANCE, AND CONTROLLED MAINTENANCE
8 COSTS FOR THE BUILDINGS SUBJECT TO THE LEASE-PURCHASE
9 AGREEMENTS.

10 (II) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE
11 OF THIS SUBSECTION (10) MAY BE INVESTED BY THE STATE TREASURER AS
12 PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE
13 INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED
14 TO THE FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS
15 REMAINING IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN
16 THE FUND AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE
17 GENERAL FUND OR ANOTHER FUND.

18 **SECTION 2.** 24-75-302, Colorado Revised Statutes, is amended
19 BY THE ADDITION OF A NEW SUBSECTION to read:

20 **24-75-302. Capital construction fund - capital assessment fees**
21 **- calculation.** (3.5) THERE IS HEREBY CREATED A SPECIAL ACCOUNT
22 WITHIN THE CAPITAL CONSTRUCTION FUND ESTABLISHED PURSUANT TO
23 SUBSECTION (1) OF THIS SECTION TO BE KNOWN AS THE "LEASE-PURCHASE
24 SERVICING ACCOUNT" FOR THE BENEFIT OF THE DEPARTMENT OF
25 PERSONNEL. THE STATE TREASURER SHALL DEPOSIT INTO THE
26 LEASE-PURCHASE SERVICING ACCOUNT ALL MONEYS TRANSFERRED OR
27 RECEIVED PURSUANT TO SECTION 24-82-802 (9). MONEYS IN THE
28 LEASE-PURCHASE SERVICING ACCOUNT SHALL BE SUBJECT TO ANNUAL
29 APPROPRIATION AND SHALL ONLY BE USED TO PAY ANNUAL
30 LEASE-PURCHASE PAYMENTS, AS DEFINED IN SECTION 24-82-802 (1) (a),
31 FOR LEASE-PURCHASE AGREEMENTS AUTHORIZED PURSUANT TO SECTION
32 24-82-802 OR FOR OPERATING, MAINTENANCE, AND CONTROLLED
33 MAINTENANCE COSTS AND TO ESTABLISH A RESERVE FOR CONTROLLED
34 MAINTENANCE COSTS FOR THE BUILDINGS SUBJECT TO THE
35 LEASE-PURCHASE AGREEMENTS. ALL INTEREST AND INCOME DERIVED
36 FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE ACCOUNT SHALL
37 BE CREDITED TO THE ACCOUNT. ALL MONEYS REMAINING IN THE ACCOUNT
38 AT THE END OF A FISCAL YEAR THAT ARE UNEXPENDED OR



1 UNENCUMBERED SHALL REMAIN IN THE ACCOUNT.

2 **SECTION 3. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, and safety."

5 Page 1, strike lines 101 through 103 and substitute:

6 "**CONCERNING THE AUTHORITY OF THE STATE TREASURER TO ENTER**
7 **INTO LEASE-PURCHASE AGREEMENTS FOR THE DEPARTMENT OF**
8 **PERSONNEL.**".

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