

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

11.12.15

DRAFT

LLS NO. 16-0443.01 Nicole Myers x4326

COMMITTEE BILL

Capital Development Committee

BILL TOPIC: "JTC Authority To Approve Requests For Waivers"

A BILL FOR AN ACT

101 **CONCERNING THE JOINT TECHNOLOGY COMMITTEE'S AUTHORITY TO**
102 **APPROVE THE REQUEST FOR A WAIVER OF CERTAIN DEADLINES**
103 **AFTER MONEYS FOR A PROJECT HAVE BEEN APPROPRIATED.**

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/billssummaries>.)

Capital Development Committee. Pursuant to current law, when a state agency or institution of higher education (agency) enters into a professional services contract, the contract must be executed and encumbered within 6 months after the appropriation for the project becomes law. For a project where a professional services contract is not

required, the agency must enter into the contract within 6 months after the appropriation for the project becomes law. If an agency determines that it cannot meet the 6-month deadline for a project, the agency may request that the capital development committee recommend to the controller that the deadline be waived for the project.

The bill allows agencies to request that the joint technology committee, when applicable, recommend to the controller that the 6-month deadline be waived when the agency cannot meet the 6-month deadline.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-30-1404, **amend**
 3 (7) (a) as follows:

4 **24-30-1404. Contracts.** (7) (a) Except as provided in paragraphs
 5 (b), (c), (e), (f), and (g) of this subsection (7), any professional services
 6 contract entered into pursuant to the provisions of this part 14 shall be
 7 executed and encumbered within six months after the date on which the
 8 appropriation that includes the project for which the professional services
 9 are required becomes law. If no professional services contract is required
 10 for a particular project, the contract with the contractor for the project
 11 shall be entered into within six months after the appropriation. If a state
 12 agency or state institution of higher education determines that the nature
 13 of a particular project is such that the deadlines imposed by this section
 14 cannot be met, the state agency or state institution of higher education
 15 may request the capital development committee OR JOINT TECHNOLOGY
 16 COMMITTEE, AS APPLICABLE, to recommend to the controller that the
 17 deadline be waived for that project. The controller, in consultation with
 18 the capital development committee OR JOINT TECHNOLOGY COMMITTEE,
 19 AS APPLICABLE, may grant a waiver from such deadlines. This subsection
 20 (7) shall not apply to projects under the supervision of the department of

1 transportation. This subsection (7) shall not affect any priority established
2 pursuant to section 24-35-210 (11) in the general appropriation act for
3 expenditures for projects to be financed from net lottery proceeds
4 appropriated for capital construction.

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