

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 10-1020

BY REPRESENTATIVE(S) Weissmann, Kerr J., Lambert;
also SENATOR(S) Morse, Boyd, Newell.

CONCERNING CONTRACTS OF THE LEGISLATIVE DEPARTMENT, AND MAKING
AN APPROPRIATION THEREFOR.

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

SECTION 1. 2-2-320, Colorado Revised Statutes, is amended to read:

2-2-320. Legislative department contracts - approval. (1) Any contract to which the house of representatives or the senate is a party shall be approved by the speaker of the house of representatives or the president of the senate, as the case may be. Whenever the house of representatives and the senate are parties to the same contract, both the speaker of the house of representatives and the president of the senate shall approve the contract. Any contract to which the legislative council, the office of legislative legal services, the joint budget committee, the office of the state auditor, or the commission on uniform state laws is a party shall be approved by the ~~chairman~~ CHAIR or ~~vice-chairman~~ VICE-CHAIR of the governing committee of such agency, as the case may be.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(2) (a) FOR LEGISLATIVE DEPARTMENT CONTRACTS SUBJECT TO SECTION 29 OF ARTICLE V OF THE STATE CONSTITUTION, the attorney general shall approve all SUCH legislative department contracts as to form, AND the controller shall approve such contracts in accordance with section 24-30-202, C.R.S.

(b) THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES OR THE DIRECTOR'S DESIGNEE SHALL APPROVE ALL LEGISLATIVE DEPARTMENT CONTRACTS NOT SUBJECT TO SECTION 29 OF ARTICLE V OF THE STATE CONSTITUTION. NO APPROVAL BY THE CONTROLLER OR ANY ASSISTANT DESIGNATED BY THE CONTROLLER SHALL BE REQUIRED FOR THE VALIDITY OF ANY CONTRACT ENTERED INTO AND APPROVED UNDER THIS PARAGRAPH (b). THE CONTROLLER SHALL ISSUE PAYMENT FOR EXPENDITURES FOR LEGISLATIVE DEPARTMENT CONTRACTS APPROVED IN ACCORDANCE WITH THIS PARAGRAPH (b) AS SET FORTH IN SECTION 24-30-202, C.R.S. NOTWITHSTANDING THE LEGISLATIVE DEPARTMENT'S EXEMPTION FROM THE FISCAL RULES PURSUANT TO SECTION 24-2-101, C.R.S., THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL CONSIDER THE FISCAL RULES AS GUIDELINES FOR LEGISLATIVE DEPARTMENT CONTRACTS APPROVED UNDER THIS PARAGRAPH (b) AND MAY CONSULT WITH THE CONTROLLER OR ATTORNEY GENERAL, OR BOTH, WHEN DRAFTING LEGISLATIVE DEPARTMENT CONTRACTS.

SECTION 2. 24-82-701 (5), Colorado Revised Statutes, is amended to read:

24-82-701. Definitions. As used in this part 7, unless the context otherwise requires:

(5) "State" means the state of Colorado or any department, agency, or commission thereof, including any state institution of higher education and the board of directors of the Auraria higher education center, BUT DOES NOT INCLUDE THE LEGISLATIVE DEPARTMENT WHEN ACTING PURSUANT TO SECTION 2-2-320 (2) (b), C.R.S.

SECTION 3. 24-82-801 (6), Colorado Revised Statutes, is amended to read:

24-82-801. Lease-purchase agreements for acquisition of real or personal property. (6) (a) Notwithstanding any provision of this section

to the contrary, the department of transportation, institutions of higher education, and the state treasurer may enter into lease-purchase agreements if the state controller as authorized by section 24-30-202 approves each lease-purchase agreement that requires total payments in excess of five hundred thousand dollars over the term of the agreement or as otherwise provided by law.

(b) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, THE LEGISLATIVE DEPARTMENT MAY ENTER INTO LEASE-PURCHASE AGREEMENTS PURSUANT TO SECTION 2-2-320, C.R.S.

SECTION 4. 24-82-1201 (3), Colorado Revised Statutes, is amended to read:

24-82-1201. Definitions. As used in this part 12, unless the context otherwise requires:

(3) "State department" means a department or agency of the state, BUT DOES NOT INCLUDE THE LEGISLATIVE DEPARTMENT WHEN ACTING PURSUANT TO SECTION 2-2-320 (2) (b), C.R.S.

SECTION 5. Adjustments to the 2010 long bill. 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, to the legislative department, general assembly, for legal services, is decreased by one thousand one hundred thirty-one dollars (\$1,131) and 15 hours.

SECTION 6. Effective date - applicability. This act shall take effect upon passage and shall apply to contracts of the legislative department entered into on or after said date.

SECTION 7. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Terrance D. Carroll
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO